2003

Minutes

#90

JANUARY 2, 2003

BOARD OF PUBLIC WORKS
ROOM 250--OMNI ROOM
MEETING HELD AT 9:00 A.M.

GREG MESZAROS, CHAIRMAN
JOHN SUAREZ, MEMBER
DENISE PORTER-ROSS, MEMBER

CAROLYN S. NEWPORT, CLERK

PRESENT: All Members & Clerk, BOPW; David Ross, City Engineer; Jim Howard, Associate City Attorney; Mary Jane Slaton & Jack Suter, Development Services; Mike Fruchey, Transportation Engineering Services; Pat Callahan Mark Gensic, Planning & Design Services; Carl Wilson, Contract Compliance; Dan Smith & Bill Maxwell, Engineering Support Services; Sally Clem, City Utilities Data Control.

1. **RECEIVE BIDS:** RESOLUTION #6909-03, Oakhurst Park Addition

BIDDER	
BROOKS CONSTRUCTION	**$15,055.50**
GARCIA CONCRETE	**$ 8,903.50**
HIPSKIND CONCRETE	**$10,462.00**
KEY CONCRETE INC.	**$ 8,074.50**
NEWELL CONST.	**$14,569.00**
ENG. EST.	**$ 9,373.00**

Transportation Engineering Services to tabulate and report.

2. Board of Public Works Minutes of December 18, 2002;

Denise Porter-Ross moved approval of Board of Public Works Minutes of December 18, 2002. Motion carried. Minutes approved.

3. Consideration of Notice of Proposed Debarment of Widner Paving, Inc. for further work on Water Main Utility Cuts for a period of 2-years;

Jim Howard, Associate City Attorney, stated that the reasons for the proposed debarment are as follows:

I) Work under Contract 02-01 has been unacceptably slow. Widner's Paving's failure to complete the work in a timely manner had forced the Board of Works to declare that an emergency exists in the interest of public safety for the satisfactory completion of the cuts.

II) This resulted in an increase of cost to the City of approximately $40,000.

III) Quality of cuts restoration has been satisfactory. Many cuts had to be inspected 2, 3, 4 & 5 different times. Excessive City time has had to be invested to ensure the cuts met minimum requirements.

IV) Multiple Contract Compliance problems:

a. Underpaid employees overtime by $2.30 per hour

b. Certified payrolls for weeks ending April 13, 2002 and June 29, 2002 revealed unauthorized deductions of $234.00 per week.

c. Wage discrepancies payable to four employees totaling $9,126.72

d. Failure to pay invoices to seven invoices to subcontractor in the amount of $3,630.50

e. Wage discrepancies payable to seven employees in the total amount of $5,133.78

V) Widner Paving was in arrears to the City of Fort Wayne as of November 27, 2002 in the amount of $200.00

VI) Other matters are addressed in memorandums from Bill Simmons, Program Manager, and the City of Fort Wayne Compliance Office (on file in the Board of Public Works)

John Suarez moved approval of Notice of Proposed Debarment of Widner Paving, Inc. for further work on Water Main Utility Cuts for a period of 2-years. Motion carried. Notice to be sent Certified Mail.

4. Approval of Professional Services Agreement between the City of Fort Wayne City Utilities and STAR Financial Bank for assisting with City Utilities billing system;

Jim Howard, Associate City Attorney, apprised the Board that this Agreement is for the following:

I) The Bank in partnership with the City will be developing several procedures and processes for additional alternative methods of utility payments from utility customers.

II) The City will provide the Bank with a daily billing and payment file (bill print files) via e-mail.

III) If the customer receives an electronic bill, the Bank will send the e-mail billing to the customer. Customer will then have the option to access a hyperlink (a Web site managed by the Bank for processing of these payments exclusively.)

IV) If the customer receives a paper bill, the Bank will print, fold, stuff, and apply postage and deliver the bills for mailing to the Post Office.

V) The Bill Print Files will be ready to transmit electronically from the City to the Bank every evening by 10:00 p.m.

VI) On a monthly basis the City will routinely include statement stuffers, The City will deliver the statement stuffers to the Bank for mailing.

VII) As bills are sent out to customers and address changes are detected by return mail, a change log will be created by the Bank. The Bank will set this file up so that the City can dial up and download the change file into their system updating all changes.

VII) Currently, 7,000 City Utility customers are set up to pay their monthly payments with ACH Auto Debits to their Accounts. This is being facilitated by Wells Fargo Bank, until such time the City is in a position to transfer that function to STAR. The Bank will begin the processing of these auto debits for the City at .07 @ item.

VIII) The Bank will not provide the City with merchant processing. The City will contract another vendor for merchant processing.

Sally Clem, City Utilities Data Control, said that the current postal system charges $54,431.00 and the fee for STAR Bank would be approximately $52,933.00.

John Suarez moved approval of Professional Services Agreement between the City of Fort Wayne City Utilities and STAR Financial Bank for assisting with City Utilities billing system. Motion carried. Copy to be placed on file in vault. Notice to proceed to be sent.

5. Approval of Agreement between the City of Fort Wayne Board of Public Works and the Hoevelwood Civic Association allocating $616.00 from 6th District CEDIT Funds to construct a retaining wall for Hoevelwood Association;

Denise Porter-Ross moved approval of Agreement between the City of Fort Wayne Board of Public Works and the Hoevelwood Civic Association allocating $616.00 from 6th District CEDIT Funds to construct a retaining wall for Hoevelwood Association. Motion carried. Copy to be placed on file in vault.

6. Approval of Special Street Permit granting H.B.C. Corporation permission to construct Avionics Drive;

Mike Fruchey, Transportation Engineering Services, said that this street has been constructed but not accepted, and that a special street permit was not obtained.

John Suarez moved approval of Special Street Permit granting H.B.C. Corporation permission to construct Avionics Drive. Motion carried. Avionics Drive to be constructed.

7. **IMPROVEMENT RESOLUTION #1512-2003** for Camp Scott Phase I – Pumping Facilities;

Pat Callahan, Planning & Design Services, explained that this Resolution is for the following: the construction of stormwater pumping facilities in the northwest corner of McMillen Park. Stormwater pumping facilities are designed with a firm capacity of 100 cubic feet per second. Pumping facilities consist of a cast-in-place concrete wet well with 6 large submersible stormwater pumps, 2 smaller "jockey" pumps, and associated 6" 48" diameter ductile iron discharge piping, fittings and valves. In addition, this project also includes the construction of 1.77 million gallon buried stormwater storage tank, control building, screening and grit settling channel, and approximately 700 l.f. of 60" and 72" diameter storm sewers and associated structures.

Denise Porter-Ross moved approval of IMPROVEMENT RESOLUTION #1512-2003 for Camp Scott Phase I – Pumping Facilities. Motion carried. Copy to be herein incorporated.

8. **IMPROVEMENT RESOLUTION #1513-2003** for Camp Scott Phase II – Force Main;

Pat Callahan, Planning & Design Services, explained that this Resolution is for the following: the construction of a new 48" diameter storm sewer force main used as a transmission pipeline to carry stormwater collected from the neighborhoods west of McMillen Park to a wetlands area on Oxford Street. The construction begins at McMillen Park east of Queen Street and routes east along Oxford St to the Wetlands property which is east of Wayne Trace, north of Moeller Rd. (Oxford St.) south of the former Conrail/Pennsylvania Railroad yard, and west of Bueter Rd. in southeast Fort Wayne.

Denise Porter-Ross moved approval of IMPROVEMENT RESOLUTION #1513-2003 for Camp Scott Phase II – Force Main. Motion carried. Copy to be herein incorporated.

9. Approval of Easement Acquisition Agreement between the City and Griffin Real Estate for Easement Acquisition Services for the Lima Road Water Main Replacement Project;

Mary Jane Slaton, Development Services, said that this Agreement covers appraisal and buying of seven easements and is for a fee of $15,850.00.

John Suarez moved approval of Easement Acquisition Agreement between the City and Griffin Real Estate for Easement Acquisition Services for the Lima Road Water Main Replacement Project. Motion carried. Copy to be placed on file in vault. Notice to proceed to be sent.

10. Approval of Second Amendment of Water Pollution Control Agreement between the City of Fort Wayne, Indiana and the Town of Zanesville, Indiana;

Mary Jane Slaton, Development Services, remarked that the amendment involves adding approximately 35 areas to the Zanesville Service Area.

John Suarez moved approval of Second Amendment of Water Pollution Control Agreement between the City of Fort Wayne, Indiana and the Town of Zanesville, Indiana. Motion carried. Copy to be placed on file in vault.

11. Approval of **RESOLUTION** authorizing the waiver of in-house fees related to sewer and water main extensions for public and quasi public projects that would have a positive impact on the socio-economic welfare of the community;

Greg Meszaros explained the following: this is an attempt to participate in urban reinvestment projects. The waiver of sanitary sewer area connection fees, fees for engineering review, contract preparation, pressure testing and disinfection, tapping, mapping and inspection may be an equitable means to assist the aforementioned projects without materially impacting the revenue stream of City Utilitities. Mr. Meszaros stated that he shall prepare a semi-annual accounting of all fees waived to the Board for its review and approval.

Denise Porter-Ross moved approval of RESOLUTION authorizing the waiver of in-house fees related to sewer and water main extensions for public and quasi public projects that would have a positive impact on the socio-economic welfare of the community. Motion carried. Copy to be herein incorporated.

12. Approval of **RESOLUTION** authorizing the Board to waive fees associated with sanitary sewer area assessment and other fees relating to the construction of utilities for the IPFW student housing;

Greg Meszaros said that that this Resolution specifies that the Board of Works would waive the sanitary sewer area connection fees and those engineering and testing fees associated with the installation of public sewer and water for the 568 bed student housing project to be located at the IPFW campus at Crescent Avenue and Hobson Road in the City of Fort Wayne. Greg Meszaros remarked that said waivers, totaling $31,395.38 may be considered as a local government funding contribution toward the IPFW student housing project.

John Suarez moved approval of RESOLUTION authorizing the Board to waive fees associated with sanitary sewer area assessment and other fees relating to the construction of utilities for the IPFW student housing. Motion carried. Copy to be herein incorporated.

13. Approval of Barrett Law Claims in the amount of $132,785.61;

Denise Porter-Ross moved approval of Barrett Law Claims in the amount of $132,785.61. Motion carried. Barrett Law Claims to be sent to the Department of Finance.

14. Approval of Claims in the amount of $11,080,202.73;

John Suarez moved approval of Claims in the amount of $11,080,202.73. Motion carried. Claims to be sent to the Department of Finance.

15. Old Business:

None.

16. New Business:

None.

Meeting adjourned at 9:40 a.m.

Greg Meszaros, Chairman

John Suarez, Member

Denise Porter-Ross, Member

ATTEST: Carolyn S. Newport

Carolyn S. Newport, Clerk

BOARD OF PUBLIC WORKS
ROOM 250--OMNI ROOM
MEETING HELD AT 9:00 A.M.

GREG MESZAROS, CHAIRMAN
JOHN SUAREZ, MEMBER
DENISE PORTER-ROSS, MEMBER

CAROLYN S. NEWPORT, CLERK

PRESENT: All Members & Clerk, BOPW; David Ross, City Engineer; Mario Trevino, Transportation Engineering Services; Mark Gensic & Doug Fasick, Planning & Design; Ron Sheppard, Engineering Support Services; Bill Simmons, Water Resources; Charles Bailey & Carl Wilson, Contract Compliance; George Cook, Street Lighting/Traffic Engineering; Cathy Robb, Flood Control; Shelli Young, Property Manager; James Hurst, HNTB; Al Lichtsinn, Street Light Engineering.

1. **RECEIVE BIDS:** RESOLUTION #1550-02, Three Rivers Filtration Plant High Service Pumps #2 & #9 Improvements:

BIDDER	
MADDOX ELECTRIC CONTRACTORS	**$461,900.00**
SHAMBAUGH & SON, L.P.	**$451,600.00**
ENG. EST.	**$776,000.00**

Engineering Support Services to tabulate and report.

2. **RECEIVE PROPOSALS** for Mowing and/or Weed Services for the Flood Control Project for a contract term of two years;

   Proposals were received from Accent Lawn & Manicure, Just Contracting, and True Green.

   Flood Control Department to review proposals and make a recommendation of award to the Board.

3. **AWARD:** Improvement Resolution #6909-03, Oakhurst Park Addition to Key Concrete in the amount of $8,074.50. Contract Compliance concurs with this award;

   John Suarez moved approval of AWARD for Improvement Resolution #6909-03, Oakhurst Park Addition to Key Concrete in the amount of $8,074.50. Motion carried. Notice of award to be sent. Transportation Engineering Services to prepare contracts.

4. **AWARD:** Improvement Resolution #1514-03, Camp Scott Wetlands to Geiger Excavating in the amount of $114,874.80. Contract Compliance concurs with this award. Prior Approval requested.

   Denise Porter Ross moved approval of AWARD and Prior Approval request for Improvement Resolution #1514-03, Camp Scott Wetlands to Geiger Excavating in the amount of $114,874.80. Motion carried. Notice of award to be sent.

5. Approval of Board of Public Works Minutes of January 2, 2003;

   Denise Porter-Ross moved approval of Board of Public Works of January 2, 2003. Motion carried. Minutes approved.

6. **IMPROVEMENT RESOLUTION #6914-03,** Harrison Street: Rudisill Blvd. to Killea Street;

David Ross, City Engineer, stated that this improvement is for the following: improvement of Harrison Street from Rudisill Blvd. to Killea Street by curb and driveway approach reconstruction; curb ramp construction; asphalt pavement milling, patching, wedge/leveling and resurfacing; storm sewer structure rehabilitation.

Denise Porter-Ross moved approval of Improvement Resolution #6914-03. Motion carried. Copy to be herein incorporated. Advertise Notice to Contractors on 1/10 & 1/17/03 with date to receive bids on January 22, 2003.

7. Approval of Change Order #1 and FINAL received from E & B Paving for Improvement Resolution #6904-02, Parkwest Center Access to Illinois Road, South increasing the contract amount by $9,110.08. The original contract price was $19,912.59. The new contract price including this change order is $29,022.67;

David Ross, City Engineer stated that this change order is for the following:

The property owner requested drive access be widened six feet. Additional pipe was needed to avoid creating a severe and hazardous side slope. Additional mulched seed and top-soil was added.

John Suarez moved approval of Change Order #1 and FINAL received from E & B Paving for Improvement Resolution #6904-02, Parkwest Center Access to Illinois Road, South increasing the contract amount by $9,110.08. Motion carried. Contract price to be increased.

8. Approval of Change Order #1 & FINAL received from Garcia Concrete Const., Inc. for Improvement Resolution #6905-02, East Central/Larez Neighborhoods: Alleys increasing the contract price by $2,421.80. The original contract price was $61,385.00. The new contract price including this change order is $63,806.80;

Mario Trevino, Transportation Engineering Services, said that this change order reflects quantities used to complete project.

Denise Porter-Ross moved approval of Change Order #1 & FINAL received from Garcia Concrete Const., Inc. for Improvement Resolution #6905-02, East Central/Larez Neighborhoods: Alleys increasing the contract price by $2,421.80. Motion carried. Contract price to be increased.

9. **IMPROVEMENT RESOLUTION #283-03,** Lima Road (Edgewood to Fernhill) Street Light Improvement;

Al Lichtsinn, Street Light Engineer, apprised the Board of the following: this project involves upgrading and adding more lights to the project area by installing 35-foot aluminum poles with 400W high-pressure sodium lights and underground wire on the east side of Lima Road. Mr. Lichtsinn said that this project would be coordinated with a water project in that area.

John Suarez moved approval of Improvement Resolution #283-03. Motion carried. Copy to be herein incorporated.

10. Approval of Purchase Order for Parking Lot Repairs and Storm Sewer Construction at Street Light Operations Department and the Fire Administration Office to TE Incorporated in the amount of $63,050.00;

Shelli Young, Property Manager, stated that the following three companies were invited to submit quotes:

Brooks Construction

Wayne Asphalt

T-E Inc.

Denise Porter-Ross moved approval of Purchase Order for Parking Lot Repairs and Storm Sewer Construction at Street Light Operations Department and the Fire Administration Office to TE Incorporated in the amount of $63,050.00. Motion carried. Purchase Order to be issued.

11. **EMERGENCY RESOLUTION** for WPC Plant Emergency Electrical Repair to Primary Service;

Mark Gensic, Planning & Design, apprised the Board of the following: on January 1, 2003 there was an electrical emergency in the main electrical service lines at the WPC Plant. Large diameter electrical cabling and several medium voltage circuit breakers need replaced as soon as possible in order to maintain electrical service and protest electrical motors and equipment.

John Suarez moved approval of Emergency Resolution for WPC Plant Emergency Repair to Primary Service. Motion carried. Copy to be herein incorporated. Emergency Purchase Order to be issued.

12. Approval of Change Order #1 and FINAL received from Widner Paving, Inc. for Contract #02-02, Restoration of Water Cuts decreasing the contract amount by $6,269.45. The original contract price was $241,372.50. The new contract price including this change order is $235,103.05;

Bill Simmons, Water Resources, said that the decrease in the contract sum is due to the Liquidated Penalty Charge of $12,000.00. Mr. Simmons said that due to inclement weather during the month of November, 02 several asphalt and concrete cuts were not able to be restored and the total number of cuts in this contract expected to be restored was reduced.

Denise Porter-Ross moved approval of Change Order #1 and FINAL received from Widner Paving, Inc. for Contract #02-02, Restoration of Water Cuts decreasing the contract amount by $6,269.45. Motion carried. Contract price to be decreased.

13. Approval of Change Order #1 received from Pyramid Excavating for Contract #1098-02, Shoaff Park Feeder Main decreasing the contract amount by $3,299.75. The original contract price was $56,854.00. The new contract price including this change order is $53,554.25;

Ron Sheppard, Engineering Support Services, said that this change order is due to the project being built under the Contractor's original bid price.

John Suarez moved approval of Change Order #1 received from Pyramid Excavating for Contract #1098-02, Shoaff Park Feeder Main decreasing the contract amount by $3,299.75. The original contract price was $56,854.00. Motion carried. Contract price to be decreased.

14. Approval of Change Order #1 and FINAL received from All Star Construction & Excavating, Inc. for Contract #1097-01, Allendale Kimberly & Deforest Water Main Replacement increasing the contract amount by $4,007.44. The original contract price was $225,338.40. The new contract price including this change order is $229,345.84;

Ron Sheppard, Engineering Support Services, remarked that Change order is for final adjustment of project quantities.

John Suarez moved approval of Change Order #1 and FINAL received from All Star Construction & Excavating, Inc. for Contract #1097-01, Allendale Kimberly & Deforest Water Main Replacement increasing the contract amount by $4,007.44. Motion carried. Contract price to be increased.

15. Approval of Contract #1113-02 between Dafforn Excavating and the City of Fort Wayne for Glenhurst, Merivale, Rolston & Springfield Water Main Replacement in the amount of $145,303.91 and Escrow Agreement for same. The Escrow Agent is Grabill Bank;

Denise Porter-Ross moved approval of Contract #1113-02 between Dafforn Excavating and the City of Fort Wayne for Glenhurst, Merivale, Rolston & Springfield Water Main Replacement in the amount of $145,303.91 and Escrow Agreement for same.

16. Approval of recommendation received from Engineering Support Services to accept the work performed by All Star Construction & Excavating, Inc. on Contract #1522-02, Water Main Interconnections as an integral part of the City's water distribution system;

John Suarez moved approval of recommendation received from Engineering Support Services to accept the work performed by All Star Construction & Excavating, Inc. on Contract #1522-02, Water Main Interconnections as an integral part of the City's water distribution system. Motion carried. Acceptance letter to be sent.

17. Approval of recommendation received from Engineering Support Services to accept the work performed by Kurtz Excavating on Water Contract #2002-W-13, Stone Canyon Section I Water as an integral part of the City's water distribution system;

Denise Porter-Ross moved approval of recommendation received from Engineering Support Services to accept the work performed by Kurtz Excavating on Water Contract #2002-W-13, Stone Canyon Section I Water as an integral part of the City's water distribution system. Motion carried. Acceptance letter to be sent.

18. Approval of recommendation received from Engineering Support Services to accept the work performed by Geiger Excavating on Sewer Contract #2001-S-13, Brookside Lakes Apartments Section II & III Sanitary as an integral part of the City's sanitary sewer system;

John Suarez moved approval of recommendation received from Engineering Support Services to accept the work performed by Geiger Excavating on Sewer Contract #2001-S-13, Brookside Lakes Apartments Section II & III Sanitary as an integral part of the City's sanitary sewer system. Motion carried. Acceptance letter to be sent.

19. Approval of City Utilities write-off of delinquent revenue accounts for the month of October 2002 in the amount of $30,038.76;

Denise Porter-Ross moved approval of City Utilities write-off delinquent accounts for the month October 2002 in the amount of $30,038.76. Motion carried. City Utilities delinquent revenue accounts for the month of October 2002 to be sent to a collection agency.

20. Approval of General Accounting Claims in the amount of $31,299,504.60;

Denise Porter-Ross moved approval of General Accounting Claims in the amount of $31,299,504.60. Motion carried. Claims to be sent to the Department of Finance.

21. Old Business:

None.

22. New Business:

None.

BOARD OF PUBLIC WORKS

Greg Meszaros, Chairman

Denise Porter-Ross, Member

John Suarez, Member

ATTEST:
Carolyn S. Newport, Clerk

BOARD OF PUBLIC WORKS
ROOM 250—OMNI ROOM
MEETING HELD AT 9:00 A.M.

GREG MEZAROS, CHAIRMAN
JOHN SUAREZ, MEMBER
DENISE PORTER-ROSS, MEMBER

CAROLYN S. NEWPORT, CLERK

PRESENT: All Members & Clerk, BOPW; Jim Howard, Associate City Attorney; David Ross, City Engineer; Mario Trevino, Transportation Engineering Services; Bill Simmons, Water Resources; Charles Bailey & Carl Wilson, Contract Compliance; Mark Gensic & Matt Wirtz, Planning & Design; Kim Schieferstein, Flood Control; Jim Lindsay, City Planning; Ron Sheppard, Engineering Support Services.

1. **RECEIVE BIDS:** RESOLUTION #1555-02, Office & Employee Areas, Biosolids Facility;

BIDDER	
FETTERS CONSTRUCTION	$102,783.00
HAGERMAN CONSTRUCTION COMPANY	$91,900.00
LAWRENCE CONSTRUCTION COMPANY	$79,450.00
STREBIG CONSTRUCTION	$84,359.00
SYNERGID COMMERCIAL	$92,225.00
ENG. EST.	**$50,000.00**

Engineering Support Services to tabulate and report.

2. **RECEIVE BIDS:** CONTRACT #03-01: Restoration of Water Maintenance Utility Cuts

BIDDER	
HIPSKIND CONCRETE	$250,436.40
ROBBCO INC.	$248,280.54
ENG. EST.	**$237,131.03**

Engineering Support Services to tabulate and report.

3. **RECEIVE BIDS:** CONTRACT #03-02: Restoration of Water Maintenance Utility Cuts

BIDDER	
HIPSKIND CONCRETE	$300,262.50
ROBBCO INC.	$299,994.10

ENG. EST.	**$282,063.00**

Engineering Support Services to tabulate and report.

4. **AWARD:** Improvement Resolution #1550-02, Three Rivers Filtration Plant High Services Pumps #2 & #9 Improvements to Shambaugh & Sons in the amount of $451,600.00;

John Suarez moved approval of award for Improvement Resolution #1550-02, Three Rivers Filtration Plant High Services Pumps #2 & #9 Improvements to Shambaugh & Sons in the amount of $451,600.00. Motion carried. Notice of award to be sent. Engineering Support Services to prepare contracts.

5. **AWARD:** Proposal for Mowing and/or Weed Control Services for the Flood Control Project to Accent Manicure Service in the proposal amount of $51,318.00 for mowing services and to TruGreen Chemlawn for weed control services in the proposal amount of $12,960.00;

Denise Porter-Ross moved approval of AWARD for Proposal for Mowing and/or Weed Control Services for the Flood Control Project to Accent Manicure Service in the proposal amount of $51,318.00 for mowing services and to TruGreen Chemlawn for weed control services in the proposal amount of $12,960.00. Motion carried. Notice of award to be sent. Flood Control Department to prepare contracts.

6. Approval of Board of Public Works Minutes of January 8, 2003;

John Suarez moved approval of Board of Public Works Minutes of January 8, 2003. Motion carried. Minutes approved.

7. Approval of Declaration of Restrictions and Covenants in connection with Flood Mitigation Properties;

Jim Lindsay, Redevelopment, apprised the Board of the following: over the past 10-12 years, the City has acquired residential properties in the Flood Zone. Most of these properties have been located in Ross Michaels Addition on Superior Street. This Declaration of Restrictions and Covenants states that in order to comply with regulations and rules set forth by FEMA and State Emergency, Management Agency, this property may be used only for outdoor recreational activities.

Denise Porter-Ross moved approval of Declaration of Restrictions and Covenants in connection with Flood Mitigation properties. Motion carried. Original to be sent to the Allen County Recorders Office.

8. Approval of Agreement between the City of Fort Wayne and IPFW to provide professional services for the Archaeological survey of improvements to Jefferson Blvd. Trail. Compensation for services performed shall be a fee not to exceed $980.00 funded through CEDIT and Federal-Aid. City Engineering recommends approval;

David Ross, City Engineer, stated that it is a Federal requirement to have this survey performed.

John Suarez moved approval of Agreement between the City of Fort Wayne and IPFW to provide professional services for the Archaeological survey of improvements to Jefferson Blvd. Trail. Motion carried. Notice to proceed to be sent.

9. **IMPROVEMENT RESOLUTION #6907-03,** Paulding Road: Lafayette Street to Anthony Boulevard;

David Ross, City Engineer, apprised the Board of the following: this improvement is for water main relocation/upgrade; cement concrete pavement crack & seating; curb, driveway approach and sidewalk (as necessary) reconstruction; curb ramp construction; bituminous pavement overlay; stormwater drainage rehabilitation; seeding restoration and other related roadway work.

Denise Porter-Ross moved approval of Improvement Resolution #6907-03. Motion carried. Copy to be herein incorporated. Bids to be received on 2/5/03.

10. **IMPROVEMENT RESOLUTION #6910-03,** Resurfacing Package 2-2003;

Mario Trevino, Transportation Engineering Services, said that the improvements would be made in Council Districts 1 and 5 and would include 10 miles of resurfacing.

John Suarez moved approval of Improvement Resolution #6910-03. Motion carried. Copy to be herein incorporated. Bids to be received on 2/5/03.

11. Approval of Professional Services Agreement between the City of Fort Wayne and Emans Engineering to provide professional services for sewer capacity, sewer repair, sewer replacement, stormwater projects for Water Resources, Utility engineering, planning, and project management;

Mark Gensic, Planning & Design, stated that the purpose of this project is to assist the City Staff in 1) the development of a standard Project Manual to be used in the public bidding and construction of future capital improvements projects; 2) the review of the City's Infiltration and Inflow program for sanitary sewer capacity improvements; 3) storm water planning and design engineering; and 4) the development of Capital Planning and Cost Estimating in support of Water and Sewer Utility Engineering Programs. Mark Gensic said that the Project Manager, James W. Emans, P.E., has 23 years experience with working with regulatory agencies.

Denise Porter-Ross moved approval of Professional Services Agreement between the City of Fort Wayne and Emans Engineering to provide professional services for sewer capacity, sewer repair, sewer replacement, stormwater projects for Water Resources, Utility engineering, planning, and project management. Motion carried. Copy to be placed on file in vault. Notice to proceed to be sent.

12. **IMPROVEMENT RESOLUTION #1101-2003,** Inwood Drive, Phase I – Water Main Replacement;

Matthew Wirtz, Planning & Design, said that this Resolution is for the construction of approximately 3,715 lf of 6" & 8" water main.

John Suarez moved approval of Improvement Resolution #1101-2003. Motion carried. Copy to be herein incorporated. Bids to be received on 2/11/03.

13. **IMPROVEMENT RESOLUTION #1530-2003,** Waynedale Water Main Replacement;

Matt Wirtz, Planning & Design said that this Resolution is for the construction of approximately 13,025 LF of 6 & 8" water main.

John Suarez moved approval of Improvement Resolution #1530-2003. Motion carried. Copy to be herein incorporated.

14. Approval of Sewer Contract #2002-S-48 between the City of Fort Wayne and the Allen County Regional Soil and Water District for construction of a sanitary sewer to serve Beineke Drive. This is outside the City limits and waters of remonstrance against annexation will be provided. The capacity designation for this area is "green;"

Mary Jane Slaton, Development Services, said that Beineke Drive is north of Leesburg Road and that the proposed sanitary sewer would replace 9 existing septic systems.

John Suarez moved approval of Sewer Contract #2002-S-48 between the City of Fort Wayne and the Allen County Regional Soil and Water District for construction of a sanitary sewer to serve Beineke Drive. Motion carried. Sanitary sewer to be constructed.

15. Approval of Construction Contract #680-02 between Affholder, Inc. and the City of Fort Wayne for Taylor Street Combined Sewer in the amount of $208,000.00 and Escrow Agreement for same. The Escrow Agent is Bank of America, N.A.;

Denise Porter-Ross moved approval of Construction Contract #680-02 between Affholder, Inc. and the City of Fort Wayne for Taylor Street Combined Sewer in the amount of $208,000.00 and Escrow Agreement for same. Motion carried. Contract to be sent to City Council.

16. Approval of recommendation received from Water Resources to accept the work performed by Widner Paving, Inc. on Contract #02-02, Restoration of Water Utility Cuts;

Denise Porter-Ross moved approval of recommendation received from Water Resources to accept the work performed by Widner Paving, Inc. on Contract #02-02, Restoration of Water Utility Cuts. Motion carried. Acceptance letter to be sent.

17. Approval Authorization of Release of Escrow for Contract #02-02, Restoration of Water Cuts to be paid to Widner Paving, Inc. in the amount of $12,355.16. Grabill Bank is the Escrow Agent;

John Suarez moved approval Authorization of Release of Escrow for Contract #02-02, Restoration of Water Cuts to be paid to Widner Paving,

Inc. in the amount of $12,355.16. Motion carried. Release of Escrow to be sent to the Escrow Agent.

18. Approval of recommendation received from Engineering Support Services to accept the work performed by Star Excavating on Water Contract #2002-W-10, Forest Creek at Chandlers Landing Water as an integral part of the City's water distribution system;

    Denise Porter-Ross moved approval of recommendation received from Engineering Support Services to accept the work performed by Star Excavating on Water Contract #2002-W-10, Forest Creek at Chandlers Landing Water as an integral part of the City's water distribution system. Motion carried. Acceptance letter to be sent.

19. Approval of recommendation received from Engineering Support Services to accept the work performed by Kurtz Excavating on Contract #2002-W-14, Hickory Pointe Section I as an integral part of the City's water distribution system;

    John Suarez moved approval of recommendation received from Engineering Support Services to accept the work performed by Kurtz Excavating on Contract #2002-W-14, Hickory Pointe Section I as an integral part of the City's water distribution system. Motion carried. Acceptance letter to be sent.

20. Approval of recommendation received from Engineering Support Services to accept the work performed by All Star Construction & Excavating, Inc. on Contract #1097-01, Allendale, Kimberly, and Deforest Water Main Replacement as an integral part of the City's water distribution system;

    Denise Porter-Ross moved approval of recommendation received from Engineering Support Services to accept the work performed by All Star Construction & Excavating, Inc. on Contract #1097-01, Allendale, Kimberly, and Deforest Water Main Replacement as an integral part of the City's water distribution system. Motion carried. Acceptance letter to be sent.

21. Approval of Release of Escrow received from All Star Construction & Excavating for Contract #1097-01, Allendale, Kimberly, and Deforest Water Main Replacement $22,934.58. Lake City Bank is the Escrow Agent;

    Denise Porter-Ross moved approval of Release of Escrow received from All Star Construction & Excavating for Contract #1097-01, Allendale, Kimberly, and Deforest Water Main Replacement $22,934.58. Motion carried. Release of Escrow to be sent to the Escrow Agent.

22. Approval of General Accounting Claims in the amount of $5,222,157.19;

    John Suarez moved approval of General Accounting Claims in the amount of $5,222,157.19. Motion carried. General Accounting Claims to be sent to the Department of Finance.

23. Old Business:

None.

24. New Business:

None.

Meeting adjourned at 9:30 a.m.

Greg Meszaros, Chairman

Denise Porter-Ross, Member

John Suarez, Member

ATTEST: Carolyn S. Newport, Clerk

JANUARY 15, 2003

BOARD OF PUBLIC WORKS & STORMWATER MANAGEMENT

ROOM 250—OMNI ROOM

MEETING HELD AT 9:30 A.M.

GREG MEZAROS, CHAIRMAN
JOHN SUAREZ, MEMBER
DENISE PORTER-ROSS, MEMBER

CAROLYN S. NEWPORT, CLERK

PRESENT: All Members & Clerk, BOPW; Jim Howard, Associate City Attorney; David Ross, City Engineer; Mario Trevino, Transportation Engineering Services; Bill Simmons, Water Resources; Charles Bailey & Carl Wilson, Contract Compliance; Mark Gensic & Matt Wirtz, Planning & Design; Kim Schieferstein, Flood Control; Jim Lindsay, City Planning; Ron Sheppard, Engineering Support Services.

1. Approval of Board of Public Works and Stormwater Management Minutes of December 11, 2002;

   Denise Porter-Ross moved approval of Board of Public Works and Stormwater Management Minutes of December 11, 2002. Motion carried. Minutes approved.

2. Old Business:

   None.

3. New Business:

   None.

Meeting adjourned at 9:35 a.m.

Greg Meszaros, Chairman

John Suarez, Member

Denise Porter-Ross, Member

ATTEST: Carolyn S. Newport

Carolyn S. Newport, Clerk

JANUARY 15, 2003

BOARD OF STORMWATER MANAGEMENT
ROOM 250—OMNI ROOM
MEETING HELD AT 9:35 A.M.

GREG MEZAROS, CHAIRMAN
JOHN SUAREZ, MEMBER
DENISE PORTER-ROSS, MEMBER

CAROLYN S. NEWPORT, CLERK

PRESENT: All Members & Clerk, BOPW; Jim Howard, Associate City Attorney; David Ross, City Engineer; Mario Trevino, Transportation Engineering Services; Bill Simmons, Water Resources; Charles Bailey & Carl Wilson, Contract Compliance; Mark Gensic & Matt Wirtz, Planning & Design; Kim Schieferstein, Flood Control; Jim Lindsay, City Planning; Ron Sheppard, Engineering Support Services.

1. Approval of Board of Stormwater Management Minutes of December 4, 2002;

   Denise Porter-Ross moved approval of Board of Stormwater Management Minutes of December 4, 2002. Motion carried. Minutes approved.

2. Approval of recommendation received from Engineering Support Services to accept the work performed by Geiger Excavating on Improvement Resolution #646-01, Log Cabin Drainage Improvements as an integral part of the City's storm drainage system;

   John Suarez moved to accept the work performed by Geiger Excavating on Improvement Resolution #646-01 as an integral part of the City's storm drainage system. Motion carried. Acceptance letter to be sent.

3. Approval of recommendation received from Engineering Support Services to accept the work performed by Land Incorporated on Improvement Resolution #647-02, Hickory Grove/Waycross Storm Sewer as an integral part of the City's storm drainage system;

   Denise Porter-Ross moved to accept the work performed by Land Inc. on Improvement Resolution #647-02 as an integral part of the City's storm drainage system. Motion carried. Acceptance letter to be sent.

4. Old Business:

   None.

5. New Business:

   None.

Meeting adjourned at 9:45 a.m.

Greg Meszaros, Member

John Suarez, Member

Denise Porter-Ross, Member

ATTEST:

JANUARY ~~15~~ 22, 2003

BOARD OF PUBLIC WORKS
ROOM 250—OMNI ROOM
MEETING HELD AT 9:00 A.M.

GREG MEZAROS, CHAIRMAN
JOHN SUAREZ, MEMBER
DENISE PORTER-ROSS, MEMBER

CAROLYN S. NEWPORT, CLERK

PRESENT: All Members & Clerk, BOPW; Jim Howard, Associate City Attorney; David Ross, City Engineer; Mario Trevino, Transportation Engineering Services; Charles Bailey & Carl Wilson, Contract Compliance; Mark Gensic & Matt Wirtz, Planning & Design; Mary Jane Slaton, & Jack Suter, Development Services; Ron Sheppard, Engineering Support Services.

1. Approval of Board of Public Works Minutes of January 15, 2003;

   Denise Porter-Ross moved approval of Board of Public Works Minutes of January 15, 2003. Motion carried. Minutes approved.

2. **AWARD:** Improvement Resolution #1555-03, City of Fort Wayne Office and Employee Areas Biosolids Facility to Lawrence Construction in the amount of $79,450.00;

   John Suarez moved approval of Award for Improvement Resolution #1555-03, City of Fort Wayne Office and Employee Areas Biosolids Facility to Lawrence Construction in the amount of $79,450.00. Motion carried. Notice of award to be sent. Engineering Support Services to prepare contracts.

3. Approval of Purchase Agreement between the City of Fort Wayne and Housing Authority of the City of Fort Wayne for the purchase of property at 5300 S. Anthony Blvd., Fort Wayne;

   Shelli Young, Property Manager, apprised the Board of the following: this property is old Fire Station #12 and the building is being sold as is. The building was appraised at $148,000 but since the Housing Authority is a City entity, it is being sold to them for $100,000.

   John Suarez moved approval of Purchase Agreement between the City of Fort Wayne and Housing Authority of the City of Fort Wayne for the purchase of property at 5300 S. Anthony Blvd., Fort Wayne. Motion carried. Copy to be placed on file in vault.

4. Approval of Change Order #2 & FINAL received from Brooks Construction for Improvement Resolution #6903-02, Columbia Street: Clay to Railroad Viaduct increasing the contract price by $1,857.54. The original contract price was $13,925.15. The new contract price including this change order is $15,782.69;

Mario Trevino, Transportation Engineering Services apprised the Board of the following: when the project was bid, the Street Department was to overlay new concrete with asphalt. However, the project was awarded late and they were busy with leaf pickup. We had to have the contractor do the work adding asphalt patching to the contract.

Denise Porter moved approval of Change Order #2 & FINAL received from Brooks Construction for Improvement Resolution #6903-02, Columbia Street: Clay to Railroad Viaduct increasing the contract price by $1,857.54. Motion carried. Contract price to be increased.

5. **IMPROVEMENT RESOLUTION #6915-03,** Resurfacing Package 3-2003;

Mario Trevino, Transportation Engineering Services said that this Resolution is for milling and/or resurfacing the roadway in Council Districts 1, 2 & 3 and covers 7.9 miles.

John Suarez moved approval of Improvement Resolution #6915-03. Motion carried. Copy to be herein incorporated. Bids to be received on 2/15/03.

6. **IMPROVEMENT RESOLUTION #625-2001,** Rothman Road Relief Sewers;

Pat Callahan, Planning & Design Services, apprised the Board of the following: this Resolution is for the construction of approximately 900 L.F. of 18" & 21" PVC sewer, a pumping station, and approximately 4,000 l.f. of 16" force main. The gravity sewer begins at Rothman Road and Brook Dr. and proceeds westerly along Brook Dr. to Brookward Pass; then northerly on Brookward Pass and then westerly to the Pumping Station; the force main proceeds westerly from the Pumping Station to St. Joe Road. near the intersection of Northwest Dr.; then southerly along St. Joe Rd. to the intersection of Rothman Rd.; then westerly across Clingman's Trail, Nature Trail Dr., and the St. Joseph River; after crossing the St. Joseph River the route proceeds northerly to the St. Joe Sewer Interceptor and ends.

Denise Porter-Ross moved approved of Improvement Resolution #625-01. Motion carried. Copy to be herein incorporated.

7. Approval of Contract between the City of Fort Wayne and Verizon for relocation of telephone facilities in connection with Camp Scott. This contract is for a not-to-exceed amount of $37,165.00. Planning & Design Services recommend approval;

Pat Callahan, Planning & Design Services, apprised the Board of the following: The contract covers the relocation of telephone facilities along Oxford. This work is necessary to locate our new force main close to the edge of the pavement to save several mature trees.

John Suarez moved approval of Contract between the City of Fort Wayne and Verizon for relocation of telephone facilities in connection with Camp Scott. This contract is for a not-to-exceed amount of $37,165.00. Motion carried. Copy to be placed on file in vault.

8. Approval of Release of Sewer Easement for the Sandy Pointe Development. A new Grant of Easement is being executed for the revised sewer plan;

Jack Suter, Development Services, said that this development is located at the intersection off Dupont and Auburn Roads. Mr. Suter stated that it was discovered that the Contractor took the sewer outside the easement to save trees. Consequently a new easement must be established for the sewer. The developer is asking that the unused portion of the easement be released. A new easement in closing the sewer line will be dedicated.

John Suarez moved approval of Release of Sewer Easement for the Sandy Pointe Development. A new Grant of Easement is being executed for the revised sewer plan. Motion carried. Copy to be placed on file in vault.

9. Approval of Agreement between the Board of Public Works & Bonar Group extending for an additional 12-months an On-Call Contract for Plan Review and Permitting Services. Approval of this agreement will extend the contract until February 7, 2004. The price of the agreement is not-to-exceed $20,000.00;

Denise Porter-Ross moved approval of Agreement between the Board of Public Works & Bonar Group extending for an additional 12-months an On-Call Contract for Plan Review and Permitting Services. Motion carried. Copy to be placed on file in vault.

10. Approval of Agreement between the Board of Public Works & DLZ extending for an additional 12-months an On-Call Contract for Plan Review and Permitting Services. Approval of this agreement will extend the contract until February 7, 2004. The price of the agreement is not-to-exceed $20,000.00;

Denise Porter-Ross moved approval of Agreement between the Board of Public Works & DLZ extending for an additional 12-months an On-Call Contract for Plan Review and Permitting Services. Motion carried. Copy to be placed on file in vault.

11. Approval of Construction Contract #1514-03 between Geiger Excavating and the City of Fort Wayne for Camp Scott Wetlands in the amount of $114,874.80;

Denise Porter-Ross moved approval of Construction Contract #1514-03 between Geiger Excavating and the City of Fort Wayne for Camp Scott Wetlands in the amount of $114,874.80. Motion carried. Contract to be sent to City Council.

12. Approval of recommendation received from Engineering Support Services to accept the work performed by Star Excavating on Sanitary Contract #2002-S-28, Forest Creek @ Chandlers Landing as an integral part of the City's sanitary sewer system;

Denise Porter-Ross moved approval of recommendation received from Engineering Support Services to accept the work performed by Star Excavating on Sanitary Contract #2002-S-28, Forest Creek @ Chandlers Landing as an integral part of the City's sanitary sewer system. Motion carried. Acceptance letter to be sent.

13. Approval of recommendation received from Engineering Support services to accept the work performed by Pyramid Excavating on Construction Contract

#1098-02, Shoaff Park Feeder Main as an integral part of the City's water distribution system;

John Suarez moved approval of recommendation received from Engineering Support services to accept the work performed by Pyramid Excavating on Construction Contract #1098-02, Shoaff Park Feeder Main as an integral part of the City's water distribution system. Motion carried. Acceptance letter to be sent.

14. Approval of General Accounting Claims in the amount of $8,189,850.45;

Denise Porter-Ross moved approval of General Accounting Claims in the amount of $8,189,850.45. Motion carried. General Accounting Claims to be sent to the Department of Finance.

15. Approval of Barrett Law Claims in the amount of $49,200.26;

John Suarez moved approval of Barrett Law Claims in the amount of $49,200.26. Motion carried. Barrett Law Claims to be sent to the Department of Finance.

16. Old Business:

None.

17. New Business:

None.

Meeting adjourned at 9:25 a.m.

Greg Meszaros, Chairman

John Suarez, Member

Denise Porter-Ross, Member

ATTEST: Carolyn S. Newport

Carolyn S. Newport, Clerk

JANUARY 22, 2003

BOARD OF STORMWATER MANAGEMENT
ROOM 250—OMNI ROOM
MEETING HELD AT 9:00 A.M.

GREG MEZAROS, CHAIRMAN
JOHN SUAREZ, MEMBER
DENISE PORTER-ROSS, MEMBER

CAROLYN S. NEWPORT, CLERK

PRESENT: All Members & Clerk, BOPW; Jim Howard, Associate City Attorney; David Ross, City Engineer; Mario Trevino, Transportation Engineering Services; Charles Bailey & Carl Wilson, Contract Compliance; Mark Gensic & Matt Wirtz, Planning & Design; Mary Jane Slaton, & Jack Suter, Development Services; Ron Sheppard, Engineering Support Services, Wayne Cooke, Woodmont Ridge Association President.

1. Approval of Board of Stormwater Management Minutes of January 15, 2003;

   Denise Porter-Ross moved approval of Stormwater Management Minutes of January 15, 2003. Motion carried. Minutes approved.

2. Approval of Agreement between the City of Fort Wayne Stormwater Management Board and Woodmont Ridge Association for Group Direct Discharge Stormwater Fee Credit;

   Mary Jane Slaton, Development Services, apprised the Board of the following: Woodmont Ridge is located east of Lima Road and north of Dupont Road and was annexed January 1, 2003. This is a County-regulated subdivision and the Woodmont Ridge Association desires to remain with the Allen County Surveyor's Office and County Drainage Board and made a formal application to the City for credit to nonresidential and residential properties in that subdivision. The Applicant understands and agrees that this waiver of City services shall be in effect so long as said credit is applicable.

   Denise Porter-Ross moved approval of Agreement between the City of Fort Wayne Stormwater Management Board and Woodmont Ridge Association for Group Direct Discharge Stormwater Fee Credit and approval of Greg Meszaros to sign this agreement on behalf of the Board of Stormwater Management. Motion carried. Copy to be herein incorporated.

3. New Business:

   None.

4. Old Business:

   None.

Meeting adjourned at 9:30 a.m.

Greg Meszaros, Chairman

John Suarez, Member

Denise Porter-Ross, Member

ATTEST: Carolyn S. Newport

Carolyn S. Newport, Clerk

January 22, 2003

Board of Public Works
Room 250 - Omni Room
Hearing held at 10:00 a.m.

Greg Meszaros, Chairman
John Suarez, Member
Denise Porter-Ross, Member

ATTEST: Carolyn S. Newport, Clerk

PRESENT: All Members & Clerk, BOPW; Marj Enders, Barrett Law Accountant; Richard Romary, Transportation Engineering Services; Ron Sheppard, Engineering Support Services; Matthew Wirtz, Planning & Design.

1. Preliminary Hearing to confirm Improvement Resolution for Improvement Resolution #6911-03, Inwood Drive: State Blvd. to Vance Avenue.

   Richard Romary, Transportation Engineering Services, explained the scope of the project and Marj Enders explained the Barrett Law process. **Denise Porter-Ross moved to confirm Improvement Resolution for Improvement Resolution #6911-03, Inwood Drive: State Blvd. to Vance Avenue. Motion carried. Remonstrance period to be up on February 3, 2003 at 5:00 p.m.**

Hearing adjourned at 10:10 a.m.

Greg Meszaros, Chairman

John Suarez, Member

Denise Porter-Ross, Member

ATTEST: Carolyn S. Newport, Clerk

Board of Public Works
Room 250 - Omni Room
Hearing held at 10:15 a.m.

Greg Meszaros, Chairman
John Suarez, Member
Denise Porter-Ross, Member

ATTEST: Carolyn S. Newport, Clerk

PRESENT: All Members & Clerk, BOPW; Marj Enders, Barrett Law Accountant; Richard Romary, Transportation Engineering Services; Ron Sheppard, Engineering Support Services; Matthew Wirtz, Planning & Design.

1. Preliminary Hearing to confirm Improvement Resolution for Improvement Resolution #6912-03, Inwood Drive, Phase I: Inwood Court: Inwood Dr. to terminus;

   Richard Romary, Transportation Engineering Services, explained the scope of the project and Marj Enders explained the Barrett Law process. **Denise Porter-Ross moved to confirm Improvement Resolution for Improvement Resolution #6912-03, Inwood Drive, Phase I: Inwood Court: Inwood Dr. to terminus.Motion carried. Remonstrance period to be up on February 3, 2003 at 5:00 p.m.**

Hearing adjourned at 10:20 a.m.

Greg Meszaros, Chairman

John Suarez, Member

Denise Porter-Ross, Member

ATTEST: Carolyn S. Newport, Clerk

January 22, 2003

Board of Public Works
Room 250 - Omni Room
Hearing held at 10:30 a.m.

Greg Meszaros, Chairman
John Suarez, Member
Denise Porter-Ross, Member

ATTEST: Carolyn S. Newport, Clerk

PRESENT: All Members & Clerk, BOPW; Marj Enders, Barrett Law Accountant; Richard Romary, Transportation Engineering Services; Ron Sheppard, Engineering Support Services; Matthew Wirtz, Planning & Design.

1. Preliminary Hearing to confirm Improvement Resolution for Improvement Resolution #6913-03, Lynwood Court: Inwood Dr. to Terminus.

   Richard Romary, Transportation Engineering Services, explained the scope of the project and Marj Enders explained the Barrett Law process.

   Denise Porter-Ross moved to confirm Improvement Resolution #6913-03, Lynwood Court: Inwood Dr. to Terminus. Motion carried. Remonstrance period to be up on February 3, 2003 at 5:00 p.m.

Hearing adjourned at 10:35 a.m.

Greg Meszaros, Chairman

John Suarez, Member

Denise Porter-Ross, Member

ATTEST: Carolyn S. Newport, Clerk

BOARD OF PUBLIC WORKS
ROOM 250—OMNI ROOM
MEETING HELD AT 9:00 A.M.

GREG MESZAROS, CHAIRMAN
JOHN SUAREZ, MEMBER
DENISE PORTER-ROSS, MEMBER

CAROLYN S. NEWPORT, CLERK

PRESENT: All Members & Clerk, BOPW; Jim Howard, Associate City Attorney; David Ross, City Engineer; Mario Trevino, Transportation Engineering Services; Charles Bailey & Carl Wilson, Contract Compliance; Mike Hicks, Planning & Design; Mary Jane Slaton, & Jack Suter, Development Services; Ron Sheppard, Engineering Support Services.

1. **RECEIVE BIDS:** Improvement Resolution #6914-03, Harrison Street from Rudisill Blvd. to Killea Street;

Benchmark Const. LLC	$196,623.00
Brooks Const. Co., Inc.	$217,133.45
Wayne Asphalt	$161,762.00
Eng. Est.	$208,900.00

Transportation Engineering Services to tabulate and report.

2. Approval of Board of Public Works Minutes of January 22, 2003 and Preliminary Hearing Minutes of January 22, 2003 for Improvement Resolution #6911-03, #6912-03, and 6913-03, Inwood Drive Projects

Denise Porter-Ross moved approval of Board of Public Works Minutes of January 15, 2003 and Preliminary Hearing Minutes of January 15, 2003 for Improvement Resolution #6911-03, #6912-03, and 6913-03, Inwood Drive Projects. Motion carried. Minutes approved.

3. **RESOLUTION** Resetting of Barrett Law Interest Rates at 5%;

Greg Meszaros apprised the Board of the following: at the last Board of Public Works Public Hearings for Inwood Drive, the property owners brought to the attention of the Board that the Barrett Law Interest Rates were not in line with the prime lending rates of the banks. The Board of Public Works has not changed the current Barrett Law Interest Rate of 7:00% for a number of years resulting in this Resolution. Greg Meszaros stated that this issue should be visited every year.

John Suarez moved approval of the Resolution Resetting Barrett Law Interest Rates at 5%, and moved that these rates apply to property owners at the hearings for the Inwood Drive projects that were held on January 22, 2003. John Suarez moved that this issue be revisited every year. Motion carried. Copy to be herein incorporated.

4. Approval of Agreement between the City of Fort Wayne and GAI Consultants, Inc. to provide professional services for the additional design of improvements to Huguenard Road: Washington Center Road to Ludwig Road. Proposed improvements include: an additional lane for deceleration, right turns, recovery along the southwest corner of Huguenard & Washington Center Intersection. Compensation for services performed shall be a fee not-to-exceed $9,500.00. City Engineering recommends approval;

   David Ross, City Engineer, apprised the Board of the following: there is only one property owner remaining that has not reached a right-of-way acquisition agreement with the City. He is proposed to donate some valuable property if the City could accommodate auxiliary lanes into the project so that he could develop the property at a later date. This Agreement is for the additional design.

   Denise Porter-Ross moved approval of Agreement between the City of Fort Wayne and GAI Consultants, Inc. to provide professional services for the additional design of improvements to Huguenard Road: Washington Center Road to Ludwig Road. Motion carried. Copy to be placed on file in vault. Notice to proceed to be sent.

5. Approval of recommendation received from Transportation Engineering Services to accept the work performed by Garcia Concrete Construction, Inc. for Improvement Resolution #6905-02, East Central Neighborhood Alleys as an integral part of the City's transportation system;

   John Suarez moved to accept the work performed by Garcia Concrete Construction, Inc. for Improvement Resolution #6905-02 as an integral part of the City's transportation system. Motion carried. Acceptance letter to be sent.

6. Approval of recommendation received from Transportation Engineering Services to accept the work performed by Brooks Construction Co., Inc. for Improvement Resolution #6886-02, Coldwater/Washington Center Road as an integral part of the City's transportation system;

   Denise Porter-Ross moved to accept the work performed by Brooks Construction Co., Inc. for Improvement Resolution #6886-02 as an integral part of the City's transportation system. Motion carried. Acceptance letter to be sent.

7. Approval of recommendation received from Transportation Engineering Services to accept the work performed by Wayne Asphalt & Construction Co., Inc. for Improvement Resolution #6834-02, Hobson: Lake to State as an integral part of the City's transportation system;

   Denise Porter-Ross moved to accept the work performed by Wayne Asphalt & Construction Co., Inc. for Improvement Resolution #6834-02 as an integral part of the City's transportation system. Motion carried. Acceptance letter to be sent.

8. Approval of an Agreement between the Board of Public Works and Larry Misner & Associates extending for an additional 12-months an On-Call Contract for Appraisal Services. Approval of this agreement will extend the contract until October 10, 2003. The price of the agreement is not-to-exceed $20,000.00.

Denise Porter-Ross moved approval of an Agreement between the Board of Public Works and Larry Misner & Associates extending for an additional 12-months an On-Call Contract for Appraisal Services. Motion carried. Copy to be placed on file in vault. Notice to proceed to be sent.

9. Approval of an Agreement between the Board of Public Works and Rita Gabriel & Associates extending for an additional 12-months an On-Call Contract for Appraisal Services. Approval of this agreement will extend the contract until October 10, 2003. The price of the agreement is not-to-exceed $20,000.00.

Denise Porter-Ross moved approval of an Agreement between the Board of Public Works and Rita Gabriel & Associates extending for an additional 12-months an On-Call Contract for Appraisal Services. Motion carried. Copy to be placed on file in vault. Notice to proceed to be sent.

10. **RESOLUTION** for Adjustment of Area Connection Fees Based Upon Consumer Price Index;

Jack Suter, Development Services, stated that the adjustment, to become effective on February 15, 2003 is based on the 12-months percentage increase of the Consumer Price Index for urban markets as compiled by the Bureau of Labor Statistics.

John Suarez moved approval of RESOLUTION for Adjustment of Area Connection Fees Based Upon Consumer Price Index. Motion carried. Copy to be herein incorporated.

11. **RESOLUTION** of the Board of Public Works to Establish Area Connection Fees for the North Maumee East Interceptor within a Portion of the North Maumee B Service Area;

Jack Suter, Development Services, apprised the Board of the following: this Resolution is for the establishment of Equivalent Residential Unit Fees for those properties directing sewage to the new North Maumee East Interceptor system. These fees, subject to annual adjustment, also include a portion of the North Maumee B area connection fees. The fees collected will be used to retire the cost of the construction of a new pumping station, force main and gravity sewer system serving the area in the vicinity of Interstate 469 and Maysville Road and the abandonment of the Shackelford pumping station.

Denise Porter-Ross moved approval of RESOLUTION of the Board of Public Works to Establish Area Connection Fees for the North Maumee East Interceptor within a Portion of the North Maumee B Service Area. Motion carried. Copy to be herein incorporated.

12. Approval of Sewer Contract #2003-S-02 between Emerald Pointe, LLC and the Fort Wayne Water Pollution Control Utility to construct a local sanitary sewer system to serve Emerald Pointe. This project is inside the City and in a green zone (PRIVATELY FUNDED);

Jack Suter, Development Services, said that this is a multi-family housing area and said sewer to serve approximately 1150 l.f. of new sewer line near I-69 and Cook Road.

Denise Porter-Ross moved approval of Sewer Contract #2003-S-02 between Emerald Pointe, LLC and the Fort Wayne Water Pollution Control Utility to construct a local sanitary sewer system to serve Emerald Pointe. Motion carried. Sanitary sewer system to be constructed.

13. Approval of Water Contract #2002-W-24 between the Fort Wayne Redevelopment Commission and the Fort Wayne Water Utility to construct water main systems to serve the Grand Wayne Center Water Main Relocation: Harrison Street to Webster Street (PRIVATE/UTILITY CAPITAL);

    Jack Suter, Development Services, apprised the Board of the following: due to the new construction of the Grand Wayne Center the City will close Harrison Street where there is a water line, so the City is moving the water line west one block to Webster Street. There would be 375 l.f. of new water line. The City is waiving the fees for engineering and inspection costs.

    John Suarez moved approval of Water Contract #2002-W-24 between the Fort Wayne Redevelopment Commission and the Fort Wayne Water Utility to construct water main systems to serve the Grand Wayne Center Water Main Relocation: Harrison Street to Webster Street. Motion carried. Water main systems to be constructed.

14. Approval of Amendment #1 to Professional Services Agreement between Commonwealth Engineering and the City of Fort Wayne for the Design of the Lake Forest Force Main. Planning & Design Services recommend approval;

    Mike Hicks, Planning & Design Services, apprised the Board of the following: this is for the design of approximately 4,200 lf of 8" sanitary force main, from Jehl Park to the North Maumee Interceptor. The existing force main is in poor structural shape. The contract amount for this Amendment is a not-to-exceed amount of $70,800 with the design and construction to be completed by the end of 2003.

    John Suarez moved approval of Amendment #1 to Professional Services Agreement between Commonwealth Engineering and the City of Fort Wayne for the Design of the Lake Forest Force Main. Motion carried. Copy to be placed on file in vault. Notice to proceed to be sent.

15. Approval of Change Order #1 and FINAL received from Dafforn Excavating for Contract #1103-02, 2002 Misc. Network Connections Package 2 decreasing the contract price by $5,056.04. The original contract price was $78,154.23. The new contract price including this change order is $73,098.19;

    Ron Sheppard, Engineering Support Services, said that this Change Order is for a final quantity adjustment.

    Denise Porter-Ross moved approval of Change Order #1 and FINAL received from Dafforn Excavating for Contract #1103-02, 2002 Misc. Network Connections Package 2 decreasing the contract price by $5,056.04. Motion carried. Contract price to be decreased.

16. Approval of recommendation received from Engineering Support Services to accept the work performed by Crider & Crider, Inc. on Sanitary Sewer Contract #2002-S-45, Estates of Sandy Pointe Section II Sanitary as an integral part of the City's sanitary sewer system;

John Suarez moved to accept the work performed by Crider & Crider, Inc. on Sanitary Sewer Contract #2002-S-45 as an integral part of the City's sanitary sewer system. Motion carried. Acceptance letter to be sent.

17. Approval of Barrett Law Claims in the amount of $28,749.81;

Denise Porter-Ross moved approval of Barrett Law Claims in the amount of $28,749.81. Motion carried. Barrett Law Claims to be sent to the Department of Finance.

19. Approval of General Accounting Claims in the amount of $11,484,102.96;

Denise Porter-Ross moved approval of General Accounting Claims in the amount of $11,484,102.96. Motion carried. General Accounting Claims to be sent to the Department of Finance.

20. Old Business:

None.

21. New Business:

Approval of Sewer Contract #2003-S-1 between Chapel Ridge Investors, LLC and the Fort Wayne Water Pollution Control Utility to construct a local sanitary sewer system to serve real estate in the vicinity of Interstate 469 and Maysville Road. This project is outside the City. This contract contains provisions for Waiver of Remonstrance against annexation. This project is in a green zone (PRIVATELY FUNDED);

Jack Suter, Development Services, apprised the Board of the following: as part of the contract that the Board entered into in August of 2001, the City agreed to oversize this line to provide for future growth in this area. The interceptor was to be paid for by the land developer but the City will participate in oversizing. This contract is a reimbursement contract.

Denise Porter-Ross moved Approval of Sewer Contract #2003-S-1 between Chapel Ridge Investors, LLC and the Fort Wayne Water Pollution Control Utility to construct a local sanitary sewer system to serve real estate in the vicinity of Interstate 469 and Maysville Road. Motion carried. Sanitary sewer to be constructed.

Approval of Change Order #5 received from Brooks Construction Blvd. – Viaduct to St. Marys River increasing the contract price by $84,908.39. The original contract price was $1,276,716.77. The new contract price including this change order is $1,448,417.36;

David Ross, City Engineer, apprised the Board of the following: this project is complete except for raising one commercial driveway. There are two main reasons for this change order which are additional bituminous pavement for widening and bituminous binder. These two items amount to $57,900.00.

Denise Porter Ross moved approval of Change Order #5 received from Brooks Construction Blvd. – Viaduct to St. Marys River increasing the contract price by $84,908.39. Motion carried. Contract price to be increased.

Meeting adjourned at 9:35 A.M.

Greg Meszaros, Chairman

John Suarez, Member

Denise Porter-Ross, Member

ATTEST:

Carolyn S. Newport, Clerk

BOARD OF STORMWATER MANAGEMENT
ROOM 250—OMNI ROOM
MEETING HELD AT 9:35 A.M.

GREG MESZAROS, CHAIRMAN
JOHN SUAREZ, MEMBER
DENISE PORTER-ROSS, MEMBER

CAROLYN S. NEWPORT, CLERK

PRESENT: All Members & Clerk, BOPW; Jim Howard, Associate City Attorney; David Ross, City Engineer; Mario Trevino, Transportation Engineering Services; Charles Bailey & Carl Wilson, Contract Compliance; Mike Hicks, Planning & Design; Mary Jane Slaton, & Jack Suter, Development Services; Ron Sheppard, Engineering Support Services.

1. Approval of Stormwater Management Minutes of January 22, 2003;

   Denise Porter-Ross moved approval of Stormwater Management Minutes of January 22, 2003. Motion carried. Minutes approved.

2. **RESOLUTION** for Hanna Creighton Street Administrative Condemnation;

   Jim Howard, Associate City Attorney, apprised the Board of the following: this project is a partnership of Community Action of Northeast Indiana (CANI), Fort Wayne Urban League, Allen County Library, Citilink, and CANI Head Start. All of these organizations would be committed to providing much needed services to the Hanna-Creighton community.

   The entire Hanna Creighton area is in need of Stormwater sewer, drainage and detention basin. With the development of this project proper stormwater drainage will be essential. Given the topography of the terrain, it was absolutely essential to locate the stormwater detention basin and drainage as the overall design called for.

   A couple of problems exist in this development. Two property owners in the stormwater drainage and detention paths refuse to reasonably sell their property (Berry Slayton, 2132 Weisser Park (Residence) and Loray's, 2101-2121 South Hanna (Liquor Store). The Board of Stormwater is empowered, in public interest, to condemn property for the general public health for the purposes of Stormwater drainage/detention.

   This Resolution schedules a hearing on the use of the condemnation process on February 19, 2003 and allows for notification by certified mail to the parties plus a publication in Fort Wayne Newspapers.

   Denise Porter-Ross moved approval of Resolution for Hanna Creighton Street Administration Condemnation. Hearing to be held on February 19, 2003.

3. Approval of Storm Sewer Contract #2003-ST-01 between Family Video Movie Club, Inc. and the Fort Wayne Stormwater Utility to construct a local storm drainage system to serve Family Video (902 Goshen Avenue);

Jack Suter, Development Services, said that Family Video Movie Club, Inc. is located near Goshen and Sherman and this project would include 178 l.f. of storm drainage relief.

John Suarez moved approval of Storm Sewer Contract #2003-ST-01 between Family Video Movie Club, Inc. and the Fort Wayne Stormwater Utility to construct a local storm drainage system to serve Family Video. Motion carried. Storm drainage system to be constructed.

4. Old Business:

None.

5. New Business:

None.

Meeting adjourned at 9:50 a.m.

Greg Meszaros, Chairman

Denise Porter-Ross, Member

John Suarez, Member

ATTEST: Carolyn S. Newport, Clerk

JANUARY 29, 2003

Board of Public Works
Room 250 - Omni Room
Hearing held at 10:00 a.m.

Greg Meszaros, Chairman
John Suarez, Member
Denise Porter-Ross, Member

ATTEST: Carolyn S. Newport, Clerk

PRESENT: Greg Meszaros, John Suarez, Carolyn Newport, BOPW; Marj Enders, Barrett Law Accountant; Brian Kiess, Transportation Engineering Services. No property owners were in attendance. Denise Porter-Ross, absent.

1. Final Hearing to confirm Assessment Roll for Improvement Resolution #6881-02, Allendale Drive: Belle Vista Blvd. to Gilbert Avenue.
John Suarez moved to confirm Assessment Roll for Improvement Resolution #6881-02, Allendale Drive: Belle Vista Blvd. to Gilbert Avenue. Motion carried. Assessments to be sent.

Hearing adjourned at 10:05 a.m.

Greg Meszaros, Chairman

John Suarez, Member

Denise Porter-Ross, Member

ATTEST: Carolyn S. Newport
Carolyn S. Newport, Clerk

BOARD OF WORKS & STORMWATER MANAGEMENT
ROOM 250—OMNI ROOM
MEETING HELD AT 9:00 A.M.

GREG MEZAROS, CHAIRMAN
JOHN SUAREZ, MEMBER
DENISE PORTER-ROSS, MEMBER

CAROLYN S. NEWPORT, CLERK

PRESENT: All Members & Clerk, BOPW; Jim Howard, Associate City Attorney; David Ross, City Engineer; Mario Trevino, Transportation Engineering Services; Charles Bailey & Carl Wilson, Contract Compliance; Mark Gensic & Matt Wirtz, Planning & Design; Mary Jane Slaton, & Jack Suter, Development Services; Ron Sheppard, Engineering Support Services.

1. Approval of Board of Public Works & Stormwater Management Minutes of January 15, 2003;

   Denise Porter-Ross moved approval of Board of Public Works & Stormwater Management Minutes of January 15, 2003. Motion carried. Minutes approved.

2. **AMENDED RESOLUTION** establishing the cost-sharing policies for neighborhood capital improvement projects, and establishing how petitions for such projects are processed by the Fort Wayne Board of Public Works and/or Board of Stormwater Management;

   David Ross, City Engineer, apprised the board of the following: the main change in this Resolution is under Section II – Cost Sharing Guidelines for specific kinds of Projects – G. It states the following: Sound Barrier Walls, Decorative Columns, Landscaping: Petitioners are responsible for 100% of the facility cost. Proposed facilities that conflict with existing or future transportation/utility infrastructure may be rejected by the Board of Public Works. The Board will administer the design, construction and maintenance of a facility located in the public right-of-way. The petitioner will deposit funds in an amount determined by the Board in an escrow account with the City before work proceeds. Sufficient funds will be dedicated to the City to maintain the facility after construction. If the facility is not adequately maintained or if the facility conflicts with transportation or utility infrastructure it shall be the Board's option to remove the facility from the public right-of-way.

   John Suarez moved approval of AMENDED RESOLUTION establishing the cost-sharing policies for neighborhood capital improvement projects, and establishing how petitions for such projects are processed by the Fort Wayne Board of Public Works and/or Board of Stormwater Management. Motion carried. Copy to be herein incorporated.

3. Old Business:

None.

4. New Business:

None.

Meeting adjourned at 9:55 a.m.

Greg Meszaros, Chairman

Denise Porter-Ross, Member

John Suarez, Member

ATTEST: Carolyn S. Newport, Clerk

BOARD OF PUBLIC WORKS
ROOM 250—OMNI ROOM
MEETING HELD AT 9:00 A.M.

GREG MESZAROS, CHAIRMAN
JOHN SUAREZ, MEMBER
DENISE PORTER-ROSS, MEMBER

CAROLYN S. NEWPORT, CLERK

PRESENT: All Members & Clerk, BOPW; Jim Howard, Associate City Attorney; David Ross, City Engineer; Mario Trevino, Transportation Engineering Services; Ron Sheppard, Engineering Support Services; Mark Gensic, Doug Fasick & Matthew Wirtz, Planning & Design; Cathy Robb, Flood Control; Bill Simmons, Water Resources; and Bob Kennedy, Associate Director, Public Works/Utilities.

1. **RECEIVE BIDS: Resolution #1530-2003: Waynedale Water Main Replacement**

BIDDER	D.I. PIPE	HDPE PIPE	ALTERNATE
ALL STAR CONSTRUCTION		$672,044.00	$8,138.00
CULY CONSTRUCTION, INC.	$789,536.50		$9,390.00
EARTH SOLUTIONS, INC.		$736,567.50	$7,335.00
INFRA SOURCE		$710,055.00	$11,220.50
MILLER PIPLEINE CORPORATION		**$573,759.00**	**$7,197.50**
ENG. EST.	**$870,000.00**	**$700,000.00**	**$8,500.00**

Engineering Support Services to tabulate and report.

2. **RECEIVE BIDS: Resolution #6910-03: Resurfacing Package 2**

BIDDER	
BROOKS CONSTRUCTION	$1,116,303.15
E & B PAVING	$1,235,858.00
WAYNE ASPHALT	**$1,082,749.70**
ENG. EST.	**$1,272,366.00**

Transportation Engineering Services to tabulate and report.

3. **RECEIVE BIDS: Resolution #6907-03: Paulding Rd. from Lafayette St. to Anthony Blvd. by Water Main Relocation / Upgrade & Street Construction**

BIDDER	
ALL STAR CONST.	$943,067.00
BROOKS CONST. INC.	$994,877.75
E & B PAVING	$967,302.38
PRIMCO, INC.	$948,154.12
WAYNE ASPHALT	**$887,165.78**
ENG. EST.	**$1,014,567.50**

City Engineering to tabulate and report.

4. **AWARD:** Contract #03-01, Restoration of Water Maintenance Utility Cuts to Robbco, Inc. in the amount of $248,280.59. Contract Compliance concurs with this award;

John Suarez moved approval of award for Contract #03-01, Restoration of Water Maintenance Utility Cuts to Robbco, Inc. in the amount of $248,280.59. Motion carried. Notice of award to be sent.

5. **AWARD:** Contract #03-02, Restoration of Water Maintenance Utility Cuts to Robbco, Inc. in the amount of $299,994.10. Contract Compliance concurs with this award.

Denise Porter-Ross moved approval of award for Contract #03-02, Restoration of Water Maintenance Utility Cuts to Robbco, Inc. in the amount of $299,994.10. Motion carried. Notice of award to be sent.

6. Approval of Construction Contract #03-01 between the City of Fort Wayne and Robbco, Inc. for Restoration of Water Maintenance Utility Cuts in the amount of $248,280.59;

John Suarez moved approval of Construction Contract #03-01 between the City of Fort Wayne and Robbco, Inc. for Restoration of Water Maintenance Utility Cuts in the amount of $248,280.59. Motion carried. Contract to be sent to City Council.

7. Approval of Construction Contract #03-02 between the City of Fort Wayne and Robbco, Inc. for Restoration of Water Maintenance Utility Cuts in the amount of $299,994.10;

Denise Porter-Ross moved approval of Construction Contract #03-02 between the City of Fort Wayne and Robbco, Inc. for Restoration of Water Maintenance Utility Cuts in the amount of $299,994.10. Motion carried. Contract to be sent to City Council.

8. Approval of Board of Public Works Minutes of January 29, 2003 and Final Assessment Hearing Minutes of January 29, 2003 for Improvement Resolution #6881-02, Allendale Drive;

Denise Porter-Ross moved to amend agenda item 5 of the Minutes of 1/29/03, Resolution Resetting of Barrett Law Interests to reflect 5% on the Board of Public Works Minutes of January 29, 2003. Motion carried. Denise Porter-Ross then moved approval of Board of Public Works Minutes of January 29, 2003 as amended. Motion carried. Board of Public Works Minutes of January 29, 2003 approved. John Suarez moved to approve the Final Assessment Hearing Minutes of January 29, 2003 for Improvement Resolution #6881-02, Allendale Drive. Motion carried. Final Assessment Hearing Minutes of January 29, 2003 approved.

9. **IMPROVEMENT RESOLUTION #6919-03,** Pasadena Drive: Beaver Avenue to Tacoma Avenue;

Mario Trevino, Transportation Engineering Services, apprised the Board of the following: this Resolution is for reconstruction of curbs, sidewalks, yard walks, and drive approaches. The cost for curbs, sidewalks, yard walks, and drive approaches shall be assessed 60% on the real estate abutting on said improvements and 40% upon the City.

Greg Meszaros noted that the Resolution stated that the interest rate for property owner's share was listed at 7% and should be changed to 5%

John Suarez moved to amend the Resolution to reflect 5% interest to property owners. Motion seconded. John Suarez moved to approve Improvement Resolution #6919-03, Pasadena Drive: Beaver Avenue to Tacoma Avenue as amended. Motion carried. Copy to be herein incorporated. Hearing to be scheduled.

10. **IMPROVEMENT RESOLUTION #6920-03,** Kern Valley Meadows;

Mario Trevino, Transportation Engineering Services, said that this Resolution is for the following Improvements:

Folsum Lane & Regina Drive Intersection

1515 Echo Lane (Drive Approach & Pavement)

7413 Placer Run (Sidewalk)

7611 Kern Valley Drive (Sidewalk)

7610 Placer Run (Concrete Street)

7729 Placer Run (Sidewalk/Drive Approach)

1526 Folsum Lane (Sidewalk/Drive Approach)

The cost for sidewalks and drive approaches shall be assessed 60% on the real estate abutting on said improvements and 40% upon the City. The cost for pavement reconstruction shall be assessed 100% on said City. Property owners have waived their right to a hearing.

Denise Porter-Ross moved to amend the Resolution to reflect 5% interest to property owners. Motion seconded. Denise Porter-Ross moved to approve Improvement Resolution #6920-03, Kern Valley Meadows as amended. Motion carried. Copy to be herein incorporated. Bids to be received on 2/19/03.

11. **IMPROVEMENT RESOLUTION #1539-2002,** Electrical Modifications for Portable Emergency Generator at Water Booster Stations;

Doug Fasick, Planning & Design, apprised the Board that this Resolution is for the following: at Lima Rd. (Northwest Pump Station) the installation of an 800 amp Automatic Transfer Switch retrofitted into the existing Variable Frequency Drive cabinet and installation of a new 400 amp Pin and Sleeve Receptacle; at Illinois Rd. (West Side Pump Station), the installation of a new 400 amp Automatic Transfer Switch and Pin Sleeve Receptacle; at Indianapolis Rd. (Southwest Pump Station), the installation of a new 600 amp Automatic Transfer Switch and 400 amp Pin Sleeve Receptacle to give the stations the ability to connect a 300 k W portable generator for emergency operation during extended electrical outages.

John Suarez moved approval of Improvement Resolution #1539-02, Electrical Modifications for Portable Emergency Generator at Water Booster Stations. Motion carried. Copy to be herein incorporated.

12. Approval of Amendment No. 1 to Agreement for Biosolids Processing, Handing & Marketing Operations Assistance between the City of Fort Wayne, Indiana and Fox Contractors Corporation. This amendment increases the contract amount by $28,342.00 and adds the task of site stabilization for the grit handling facility at the Biosolids Facility. Planning & Design Services recommend approval;

Mark Gensic, Planning & Design, apprised the Board of the following; a pad 50' wide by 450' long shall be constructed at the Biosolids Facility on Lake Avenue. The site shall be west of the processing pad and east of the retention basin. The work will include earthwork to fill-in the area, a 6-inch perimeter drain tile, lime stabilization of the area to provide a solid surface that can be used for vehicular travel, and lowering of the retention pond outlet pipe by 2 feet to accommodate the 6-inch perimeter drain. The work shall be done within 6 months of the date of the agreement.

Denise Porter-Ross moved approval of Amendment No. 1 to Agreement for Biosolids Processing, Handing & Marketing Operations Assistance between the City of Fort Wayne, Indiana and Fox Contractors Corporation. Motion carried. Copy to be placed on file in vault. Notice to proceed to be sent.

13. Approval of Professional Services Agreement between the City of Fort Wayne and Triad Engineering Inc. for the design of Lillian Avenue & Trinity Blvd. Water Main Replacement. The not-to-exceed amount for this contract is $43,260.00. Planning & Design Services recommend approval;

Matthew Wirtz, Planning & Design, apprised the Board of the following: this improvement is for water main improvements consisting of the replacement of approximately 3,200 l.f. of 6" water main with all services and appurtenances. The proposed work on Lillian Ave. (Sherman to Courtland, Courtland south to Irene) is approximately 1,950 l.f. The proposed work on Trinity Blvd. (Tyler to Cambridge) is approximately 1,250 lf.

John Suarez moved approval of Professional Services Agreement between the City of Fort Wayne and Triad Engineering Inc. for the design of Lillian

Avenue & Trinity Blvd. Water Main Replacement. Motion carried. Copy to be placed on file in vault. Notice to proceed to be sent.

14. Approval of Contract #1550-02 between the City of Fort Wayne and Shambaugh & Son L.P. for Three Rivers Filtration Plant High Service Pumps 2 & 9 Improvements in the amount of $451,600.00 and Escrow Agreement for same. Fifth Third Bank is the Escrow Agent. **PRIOR APPROVAL IS REQUESTED;**

Denise Porter-Ross moved approval of Contract #1550-02 between the City of Fort Wayne and Shambaugh & Son L.P. for Three Rivers Filtration Plant High Service Pumps 2 & 9 Improvements in the amount of $451,600.00 and Escrow Agreement for same. Motion carried. Contract to be sent to City Council.

15. Approval of Contract #1555-03 between the City of Fort Wayne and Lawrence Construction for the City of Fort Wayne Office and Employee Area Biosolids Facility in the amount of $79,450.00;

John Suarez moved approval of Contract #1555-03 between the City of Fort Wayne and Lawrence Construction for the City of Fort Wayne Office and Employee Area Biosolids Facility in the amount of $79,450.00. Motion carried. Notice to proceed to be sent.

16. Approval of Escrow Agreement received from Geiger Excavating for Improvement Resolution #1514-03, Camp Scott Wetlands. The Escrow Agent is Tower Bank;

Denise Porter-Ross moved approval of Escrow Agreement received from Geiger Excavating for Improvement Resolution #1514-03, Camp Scott Wetlands. Motion carried. Escrow Agreement to be sent to the Escrow Agent.

17. Approval of recommendation received from Engineering Support Services to accept the work performed by Dafforn Excavating, Inc. on Water Contract #1003-02, Water Main Interconnections Contract 2 as an integral part of the City's water distribution system;

John Suarez moved approval of recommendation received from Engineering Support Services to accept the work performed by Dafforn Excavating, Inc. on Water Contract #1003-02, Water Main Interconnections Contract 2 as an integral part of the City's water distribution system. Motion carried. Acceptance letter to be sent.

18. Approval of recommendation received from Engineering Support Services to accept the work performed by Fleming Excavating, Inc. on Water Contract #1561-02, Hillegas & Bass Road Water Main Extension as an integral part of the City's water distribution system;

Denise Porter-Ross moved approval of recommendation received from Engineering Support Services to accept the work performed by Fleming Excavating, Inc. on Water Contract #1561-02, Hillegas & Bass Road Water Main Extension as an integral part of the City's water distribution system. Motion carried. Acceptance letter to be sent.

19. Approval of write off of Barrett Law certified accounts in the amount of $1,992.31;

John Suarez moved approval of write off of Barrett Law certified accounts in the amount of $1,992.31. Motion carried. Write off Barrett Law accounts to be certified to Allen County.

20. Approval of Barrett Law Claims in the amount of $72,650.82;

Denise Porter-Ross moved approval of Barrett Law Claims in the amount of $72,650.82. Motion carried. Barrett Law Claims to be sent to the Department of Finance.

21. Approval of General Accounting Claims in the amount of $20,617,602.92;

John Suarez moved approval of General Accounting Claims in the amount of $20,617,602.92. Motion carried. Claims to be sent to the Department of Finance.

22. Old Business:

None.

23. New Business:

Approval of Agreement between the City of Fort Wayne and the U. S. Geological Survey for collecting, analyzing discharge data and maintaining the U. S. G. S. equipment that is part of our early flood warning system. The City's portion of this agreement is $13,280 and will be paid for through the Department of Flood Control's Budget. City Engineering recommends approval;

Cathy Robb, Flood Control Department, stated that this is an annual contract and the information collected from this data is turned over to the National Weather Service.

John Suarez moved approval of Agreement between the City of Fort Wayne and the U. S. Geological Survey for collecting, analyzing discharge data and maintaining the U. S. G. S. equipment that is part of our early flood warning system. Motion carried. Copy to be placed on file in vault.

Meeting adjourned at 9:40 a.m.

Greg Meszaros, Chairman

John Suarez, Member

Denise Porter-Ross, Member

ATTEST: Carolyn S. Newport

Carolyn S. Newport, Clerk

BOARD OF PUBLIC WORKS
ROOM 250—OMNI ROOM
MEETING HELD AT 9:00 A.M.

GREG MESZAROS, CHAIRMAN
JOHN SUAREZ, MEMBER
DENISE PORTER-ROSS, MEMBER

CAROLYN S. NEWPORT, CLERK

PRESENT: All Members & Clerk, BOPW; David Ross, City Engineer; Mario Trevino, Transportation Engineering Services; James Howard, Associate City Attorney; Mark Gensic, Pat Callahan, Mike Hicks, Matthew Wirtz, and Paul Powers, Planning & Design; Al Moll, City Controller; Charles Bailey & Carl Wilson, Contract Compliance; Ned Bryer, Associate Director, Finance/City Utilities; Judy Black, New Water/Sewer Permits; Dan Smith, Engineering Support Services; Mary Jane Slaton & Jack Suter, Development Services; Sally Clem, City Utilities Data Control; Maggie Fiedler, Customer Relations Manager; Phil Giaquinta; City Utilities Administration; Dennis Powell, Wayne Township Trustee's Office; Bob Kennedy, Associate Director, Board of Public Works.

1. **RECEIVE BIDS: Resolution #1512-2003: Camp Scott Phase I – Pumping Facilities**

BIDDER	**BASE BID**	**FLIGHT PUMP DEDUCT**
BOWEN ENGINEERING	$3,994.000.00	
FLEMING EXCAVATING	$3,566,740.00	$25,000.00
GEIGER EXCAVATING	$4,078,000.00	$20,000.00
HAGERMAN CONSTRUCTION CORP. INC.	**$3,547,000.00**	**$75,000.00**
MILLER BROTHERS	$4,228,000.00	$200,000.00
R.E. CROSBY, INC.	$4,039,000.00	0
THIENEMAN CONSTRUCTION	$3,863,400.00	0
WIEGAND CONSTRUCTION	$3,764,000.00	$50,000.00
ENG. EST.	**$5,550,000.00**	

Engineering Services to tabulate and report.

2. **RECEIVE BIDS: Resolution #6915-03: Resurfacing Package 3-2003**

BIDDER	
BROOKS CONSTRUCTION	$956,975.77
BUNN, INC.	**$922,498.65**
E & B PAVING	$935,743.64
WAYNE ASPHALT	$974,574.04
ENG. EST.	**$1,120,809.69**

Transportation Engineering Services to tabulate and report.

3. **AWARD:** Improvement Resolution #6907-03, Paulding Road: Lafayette Street to Anthony Blvd. to Wayne Asphalt & Construction Co., Inc. in the amount of $887,161.78. Contract Compliance concurs with this award;

Denise Porter-Ross moved approval of Improvement Resolution #6907-03, Paulding Road: Lafayette Street to Anthony Blvd. to Wayne Asphalt & Construction Co., Inc. in the amount of $887,161.78. Motion carried. Notice of award to be sent. Transportation Engineering Services to prepare contracts.

4. **AWARD:** Improvement Resolution #6910-03, Resurfacing Package 2-2003 to Wayne Asphalt & Construction Co., Inc. in the amount of $1,082,749.70. Contract Compliance concurs with this award;

John Suarez stated that Wayne Asphalt had not complied with some of the required paper work until they discovered they were the low bidder. Mr. Suarez stated that they should be in compliance before bidding the project and that the Board should be consistent with contractors.

Greg Meszaros stated that the Board would invite Wayne Asphalt to attend the next Board meeting to address compliance issues.

Greg Meszaros inquired when the next contractors meeting would be held and David Ross, City Engineer, remarked that it should be held in March, 2003.

John Suarez moved approval of award for Improvement Resolution #6910-03, Resurfacing Package 2-2003 to Wayne Asphalt & Construction Co., Inc. in the amount of $1,082,749.70. Motion carried. Notice of award to be sent. Transportation Engineering Services to prepare contracts.

5. **AWARD:** Improvement Resolution #6914-03, Harrison Street: Rudisill Blvd. to Killea Street to Wayne Asphalt & Construction Co., Inc. in the amount of $161,762.00. Contract Compliance concurs with this award;

David Ross, City Engineer, apprised the Board of the following: Contract Compliance informed City Engineering that Bid Documents did not contain Federal information needed to comply with the use of CDBG funding; the primary difference being the 10% goal for qualified MBE/WBE subcontractor's on project as opposed to City's 10% goal for qualified EBEs. Discussions with Wayne Asphalt indicate that an EBE subcontractor's price quotations were part of bid submitted. A change to comply with Federal MBE/WBE goal will increase bid amount $11,525.

It is the City's intent to use $40,000 of CDBG funds for this project.

The second low bidder is Benchmark with a total amount of $196,623, which is $34,861 higher than Wayne Asphalt. An $11,525 change order increase to Wayne Asphalt's bid is still lower than the second low bidder.

Mr. Ross's recommendation was to award the project to Wayne Asphalt in the amount of $161,762.00 and then submit a change order after the contract is approved in the amount of $11,525. Mr. Ross said that the subcontractors were prequalifed.

Jim Howard, Associate City Attorney said that based on the information given to the Board, that this award is in order.

Denise Porter-Ross moved approval of award for Improvement Resolution #6914-03, Harrison Street: Rudisill Blvd. to Killea Street to Wayne Asphalt & Construction Co., Inc. in the amount of $161,762.00. Motion carried. Notice of award to be sent. Transportation Engineering Services to prepare contracts.

6. Approval of Board of Public Works Minutes of February 5, 2003;

John Suarez moved approval of Board of Public Works Minutes of February 5, 2003. Motion carried. Minutes approved.

7. **RESOLUTION** By the City of Fort Wayne Board of Public Works Adopting recommendation to Debar Widner Paving, Inc. from Work on Water Main Utility Cuts;

Jim Howard, City Attorney, apprised the Board of the following: the City received information alleging substantial failure of Widner Paving, Inc. to perform work satisfactorily on Water Main Utility Cuts and such information was presented to the Board in the form of a "Notice of Proposed Debarment". Said notice was sent to Widner by certified mail and no appeal was received in the 30-day period allotted. Therefore, in accordance with its Debarment Policy and the Notice that was sent out on this matter 1/2/03, this Resolution debars Wider Paving, Inc. from further work on Water Main Utility Cuts for a period of 2 years.

John Suarez moved approval of RESOLUTION By the City of Fort Wayne Board of Public Works Adopting recommendation to Debar Widner Paving, Inc. from Work on Water Main Utility Cuts. Motion carried. Copy to be herein incorporated. Widner Paving to be notified by Certified Mail.

8. Approval of Change Order #4 received from R. E. Crosby to add $30,088.00 and Change Order #5 to add $28,275.00 in connection with Fire Stations No. 12, No. 16 & No. 17;

Al Moll, City Controller said that Change Order #4 needs ratification and Change Order #5 needs Board of Public Works approval.

John Suarez noted that the subcontractors on this project are not paying the proper wages and Contract Compliance stated that they would check on the wages.

Denise Porter-Ross moved approval of Change Order #4 received from R. E. Crosby to add $30,088.00 and Change Order #5 to add $28,275.00 in connection with Fire Stations No. 12, No. 16 & No. 17. Motion carried. Contract price to be increased.

9. Approval of Amendment #5 to Fleet Maintenance Services Agreement between First Transit, Inc., d/b/a First Vehicle Services and the City of Fort Wayne, IN;

Bob Kennedy, Associate Director, Board of Public Works/Utilities, stated that this is annual amendment to the contract for targeted contract costs and that this is year 3 of a 4-year contract.

John Suarez moved approval of Amendment #5 to Fleet Maintenance Services Agreement between First Transit, Inc., d/b/a First Vehicle Services and the City of Fort Wayne, IN. Motion carried. Copy to be placed on file in vault.

10. Approval of Agreement between the City of Fort Wayne and Geotechnical & Materials Engineers, Inc. to provide professional services for the Geotechnical Investigation of improvements to Pontiac & Wayne Trace Intersections. Proposed improvements include: drilling, (5) soil borings, sampling, testing, analysis and reporting. Compensation for services performed shall be a lump sum fee of $3,235.00. City Engineering recommends approval;

David Ross, City Engineer, said that the engineering plans are 90% complete. Mr. Ross said that there would be substantial cuts in the roadway which would require soil-testing resulting in this Agreement.

Denise Porter-Ross moved approval of Agreement between the City of Fort Wayne and Geotechnical & Materials Engineers, Inc. to provide professional services for the Geotechnical Investigation of improvements to Pontiac & Wayne Trace Intersections. Motion carried. Copy to be placed on file in vault. Notice to proceed to be sent.

14. Approval of Supplemental Agreement No. 2 between the City of Fort Wayne and American Consulting, Inc. to provide professional services for the design of improvements to Pontiac Street & Wayne Trace Intersections. Proposed improvements include: incorporate landscape plan prepared by City Staff into project design; prepare traffic analysis of final design to determine level of service for roundabouts; attend public meeting to present and discuss project with neighborhood associations and businesses. Compensation for services performed shall be a lump sum fee of $9,300.00. City Engineering recommends approval;

John Suarez moved approval of Supplemental Agreement No. 2 between the City of Fort Wayne and American Consulting, Inc. to provide professional services for the design of improvements to Pontiac Street & Wayne Trace Intersections. Motion carried. Copy to be placed on file in vault. Notice to proceed to be sent.

12. Approval of Agreement between the City of Fort Wayne Board of Public Works and Project Renew to allocate $1,480.00 from 6th District CEDIT Funds for an entrance sign;

Denise Porter-Ross moved to table the above-mentioned agreement for further review. Motion carried. Agreement tabled.

13. **IMPROVEMENT RESOLUTION #6921-03,** Downing Avenue, 400 block;

Mario Trevino, Transportation Engineering Services, said that this improvement is for the 400 block of Downing Avenue between Fairfield Avenue and Hoagland Avenue by concrete sidewalk, curbs, surface milling, resurfacing, drainage, driveway, street lights, mulched seeding and restoration. The cost for concrete sidewalk, curb, driveway, mulched seeding and restoration shall be assessed 60% on the real estate abutting on said improvements and 40% upon the City of Fort Wayne. The cost for surface milling, resurfacing, drainage and street lights shall be assessed 100% on the City.

Greg Meszaros remarked that the Resolution still listed the interest rate for Barrett Law as 7% instead of the newly approved 5%.

Mario Trevino, Transportation Engineering Services, stated that the staff would make the change on the template for Resolutions.

Denise Porter-Ross moved approval of Improvement Resolution #6921-03 with the interest rate at 5%. Motion carried. Copy to be herein incorporated. Hearing to be scheduled.

14. **IMPROVEMENT RESOLUTION #666-2002,** Sheridan Road Sanitary Sewer Extension;

Paul Powers, Planning & Design, stated that this Resolution orders the construction of approximately 1,940 l.f. of 2-inch HDPE force main, 15 – 1.5-inch service connections. The force main begins at New Haven and Sheridan Road and proceeds southerly along Sheridan Road and ends.

John Suarez moved approval of Improvement Resolution #666-2002. Motion carried. Copy to be herein incorporated.

15. Approval of Revised Rules and Regulations for the Fort Wayne Water Utility;

Judy Black, New Water/Sewer Permits, apprised the Board that the Rules and Regulations for the Fort Wayne Water Utility have not been updated since 1996. The main clarifications concern the following:

(I) Water Main Extension Policy

(II) Developer Installed Taps

(III) Cross-connections Regulations

(IV) New Policy on Service disconnections/Building Demolitions Policy on the Fort Wayne Water Utility

(V) Deposits – Not for Profit Agencies

Judy Black stated that copies of the Revised Rules and Regulations shall be kept for review for citizens in Customer Service, City Utilities and also posted on the Internet.

Dennis Powell with the Wayne Township Trustee and part of the BEST Team addressed the Board regarding their recommendations. Mr. Powell stated that the Revised Rules and Regulations would shorten the delinquency time for customers and would improve the payment schedule. Mr. Powell mentioned some of the different agencies that served on the BEST Team, Community Action Coalition Northeast, Wayne Township Representatives, Brian Stier, Legal Counsel, and Garnet Anders, of the Salvation Army, and Pete Warner, Associated Churches.

Denise Porter-Ross moved approval of Revised Rules and Regulations for the Fort Wayne Water Utility. Motion carried. Copy to be placed on file.

16. RESOLUTION Revising the Water Service Disconnections/Building Demolitions Policy of the Fort Wayne Water Utility;

Judy Black, New Water/Sewer Permits, stated that this Resolution is necessary because failure to make such disconnections may result in unwanted leakage from the water mains and the loss of potable water, unnecessary saturation of localized ground areas with water, and/or the potential of contamination of the distribution system of the Fort Wayne Water Utility.

Denise Porter-Ross moved approval of Resolution Revising the Water Service Disconnections/Building Demolitions Policy of the Fort Wayne Water Utility. Motion carried. Copy to be herein incorporated.

17. Approval of Professional Engineering Services Agreement between the City of Fort Wayne and Beam, Longest & Neff, L.L.C. for the design of Union Chapel Feeder Main, Phase III. The not-to-exceed amount for this Contract is $51,700.00. Planning & Design Services recommend approval;

    Matthew Wirtz, Planning & Design, stated that this project is for water main improvements along Union Chapel Road from existing water main east of Tonkel Rd. to existing water main west of Puff Rd. (entrance to Mallards Lake), consisting of the installation of approximately 3,800 lf of 16" water main and all appurtenances.

    John Suarez moved approval of Professional Engineering Services Agreement between the City of Fort Wayne and Beam, Longest & Neff, L.L.C. for the design of Union Chapel Feeder Main, Phase III. Motion carried. Copy to be placed on file in vault. Notice to proceed to be sent.

18. Approval of Professional Engineering Services Agreement between the City of Fort Wayne and Malcolm Pirnie, Inc. for Wastewater Collection Master Planning – Phase I for the northern area of the City. The not-to-exceed amount for this Contract is $256,300.00. Planning & Design Services recommend approval;

    Mark Gensic, Planning & Design, remarked that the scope of Phase I would include development of a wastewater collection system analysis necessary to provide guidance for the City's near-term and long-term planning horizons in the northern area of the City. Mr. Gensic stated that Malcolm Pirnie, Inc is uniquely qualified and very specialized in this scope of services.

    John Suarez questioned the mileage rate and Mark Gensic stated that he would check on the City's standard mileage rate.

    Denise Porter-Ross moved approval of Professional Engineering Services Agreement between the City of Fort Wayne and Malcolm Pirnie, Inc. for Wastewater Collection Master Planning – Phase I for the northern area of the City. Motion carried. Agreement to be sent to City Council. After Council ratification, copy to be placed on file in vault.

19. Approval of Water Contract #2003-W-01 between Pine View Land Corp. and the Fort Wayne Water Utility to construct water main systems to serve Sorrento Section II. This project is located outside the City (PRIVATE/UTILITY CAPITAL);

    Jack Suter, Development Services, stated that this project is located near Tonkel and Union Chapel Road and would include 728 l.f. of 6" Polyvinyl Chloride Pipe, 3061 l.f. of 8" Polyvinyl Chloride Pipe, and 2864 l.f. of 16" Polyvinyl Chloride Pipe.

    John Suarez moved approval of Water Contract #2003-W-01 between Pine View Land Corp. and the Fort Wayne Water Utility to construct water main systems to serve Sorrento Section II. Motion carried. Water main systems to be constructed.

20. Approval of recommendation received from Engineering Support Services to accept the work performed by Kurtz Excavating, Inc. on Sanitary Sewer Contract #2002-S-41, Union Chapel Road – Sorrento Offsite to Tonkel Road Sanitary Sewer as an integral part of the City's sanitary sewer system;

    Denise Porter-Ross movbd approval of recommendation to accept Sewer Contract #2002-S-41 and the work performed by Kurtz Excavating, Inc. as an integral part of the City's sanitary sewer system. Motion carried. Aceeptance letter to be sent.

21. Approval of City Utilities delinquent revenue accounts for the month of November, 2002 in the amount of $23,658.12;

John Suarez moved approval of City Utilities delinquent revenue accounts for the month of November, 2002 in the amount of $23,658.12. Motion carried. Delinquent revenue accounts to be sent to a collection agency.

22. Approval of General Accounting Claims in the amount of $3,398,246.04;

John Suarez moved approval of General Accounting Claims in the amount of $3,398,246.04. Motion carried. Claims to be sent to the Department of Finance.

23. Old Business:

None.

24. New Business:

Approval of Professional Services Agreement between the City of Fort Wayne and Russell Engineering Associates, Inc. for the design of Northside Feeder Main Phase I – Lynn Ave. Water Main Replacement. The not-to-exceed amount for this contract is $5,000.00. Planning & Design Services recommend approval;

Matthew Wirtz, Planning & Design, stated that this project is for water main improvements consisting of the replacement of water main on Lynn Avenue, from Kentucky to Crescent Avenue with approximately 700 lf of 12" water main and all associated valves and appurtenances. The project design is to utilize existing drawings completed for Northside Park Sewer project.

John Suarez moved approval of Professional Services Agreement between the City of Fort Wayne and Russell Engineering Associates, Inc. for the design of Northside Feeder Main Phase I – Lynn Ave. Water Main Replacement. Motion carried. Copy to be placed on file in vault. Notice to proceed to be sent.

Meeting adjourned at 10:20 a.m.

Greg Meszaros, Chairman

John Suarez, Member

Denise Porter-Ross, Member

ATTEST:

Carolyn S. Newport, Clerk

FEBRUARY 12, 2003

BOARD OF STORMWATER MANAGEMENT
ROOM 250—OMNI ROOM
MEETING HELD AT 10:20 A.M.

GREG MESZAROS, CHAIRMAN
JOHN SUAREZ, MEMBER
DENISE PORTER-ROSS, MEMBER

CAROLYN S. NEWPORT, CLERK

PRESENT: All Members & Clerk, BOPW; David Ross, City Engineer; Mario Trevino, Transportation Engineering Services; James Howard, Associate City Attorney; Mark Gensic, Pat Callahan, Mike Hicks, Matthew Wirtz, and Paul Powers, Planning & Design; Al Moll, City Controller; Charles Bailey & Carl Wilson, Contract Compliance; Ned Bryer, Associate Director, Finance/City Utilities; Judy Black, New Water/Sewer Permits; Dan Smith, Engineering Support Services; Mary Jane Slaton & Jack Suter, Development Services; Sally Clem, City Utilities Data Control; Maggie Fiedler, Customer Relations Manager; Phil Giaquinta; City Utilities Administration; Dennis Powell, Wayne Township Trustee's Office; Bob Kennedy, Associate Director, Board of Public Works.

1. Approval of Board of Stormwater Management Minutes of January 29, 2003;

   Denise Porter-Ross moved approval of Stormwater Management Minutes of January 29, 2003. Motion carried. Minutes approved.

2. Old Business:

   None.

3. New Business:

   None.

Meeting adjourned at 10:23 a.m.

Greg Meszaros, Chairman

John Suarez, Member

Denise Porter-Ross, Member

ATTEST: Carolyn S. Newport

Carolyn S. Newport, Clerk

BOARD OF PUBLIC WORKS
ROOM 250—OMNI ROOM
MEETING HELD AT 9:00 A.M.

GREG MESZAROS, CHAIRMAN
JOHN SUAREZ, MEMBER
DENISE PORTER-ROSS, MEMBER

CAROLYN S. NEWPORT, CLERK

PRESENT: Greg Meszaros, Denise Porter-Ross, Carolyn Newport, BOPW; Jim Howard, Associate City Engineer; David Ross, City Engineer; Mario Trevino, Transportation Engineering Services; Jack Suter, Development Services; Ron Sheppard, Engineering Support Services; Bob Kennedy, Associate Director, Board of Public Works/Utilities; Mark Gensic & Keith Hood, Planning & Design; Jim Riemke & Al Lichtsinn, Street Light Engineering; Alan Grinsfelder, Project Engineer for Hanna-Creighton; Robert A. Welsch, Attorney for Loray Enterprises; Chris Payne, Project Renew; Daniel E. Serban. Attorney for Barry Slayton; Angela A. White, Summit City Reporting; Todd Guthrie, Wayne Asphalt. John Suarez, absent.

1. RECEIVE BIDS: Resolution #283-03: Lima Rd. Edgewood To Fernhill Street Light Improvement

BIDDER	BASE BID
Lights and Signals, Inc.	21,837.00
Robert Henry Corp.	21,745.50
ENGINEERS ESTIMATE:	**$ 34,682.00**

Street Light Engineering to tabulate and report.

2. RECEIVE BIDS: Resolution #640-02 Farwood Avenue- Hystone Drive Sewer & Drainage Improvements

BIDDER	BASE BID	ALTERNATE
Bercot, Inc.	109,371.00	174,243.00
Crosby Excavating	84,571.00	142,254.00
Fleming Excavating	101,266.60	166,772.36
J & L Excavating	105,388.25	164,028.50
Liberty Construction	87,561.50	133,796.00
Reinharts	82,323.20	124,304.50
ENGINEERS ESTIMATE:	**$135,121.00**	**$194,865.00**

Engineering Support Services to tabulate and report.

3. RECEIVE BIDS: Resolution #1513-03: Camp Scott Phase II- Force Main

BIDDER	DIP	PCCP
All-Star Construction & Excavating		898,206.00
Crosby Excavating, Inc.	983,644.50	
Fleming Excavating		1,084,610.18
Geiger Excavating		960,538.50
Reynolds, Inc.	1,346,749.00	
ENGINEERS ESTIMATE:	**$ 1,791,990.00**	

Engineering Support Services to tabulate and report.

4. RECEIVE BIDS: Resolution #6920-03 Kern Valley Meadows

BIDDER	BASE BID
Brooks	31,572.50
Garcia Concrete	22,090.00
Lipskind Concrete	25,226.00
Newell Concrete	22,345.00
Key Concrete	23,645.00
Widner Paving	28,590.00
Engineers Estimate	**$23,958.20**

Transportation Engineering Services to tabulate and report.

9:15 a.m. - The Board of Works recessed for an Administrative Hearing for Hanna-Creighton Storm Sewer Improvement Project.

10:40 a.m. – Meeting reconvened.

5. Discussion with Wayne Asphalt regarding Contract Compliance Issues;

Greg Meszaros stated that Wayne Asphalt was requested to appear before the Board because they had fallen behind on Contract Compliance issues.

Denise Porter-Ross stated that public perception is very important on contractors performing City work and that every contractor should be held to the same standards.

Todd Guthrie, Vice President of Wayne Asphalt, apprised the Board of the following: the prime contractor receives paperwork from subcontractors and the subcontractors have not submitted it

in a timely manner, therefore, making Wayne Asphalt delinquent. Mr. Guthrie said that their goal is to meet the City's deadlines by applying more pressure to their subs.

Greg Meszaros said that he would be meeting with Contract Compliance to find ways to make it easier for contractors to comply with requirements.

6. **AWARD:** Improvement Resolution #1530-2003, Waynedale Water Main Replacement to Miller Pipeline in the amount of $573,759.00 for the HDPE Bid and $7,197.50 for the Alternate Bid;

Ron Sheppard, Engineering Support Services, stated that the City is holding $17,000.00 on Contract #578-98, Pond #1 & #2 Pipe Repair because of "non-compliance" issues and have failed to respond to requests for information. Mr. Sheppard said that he would attempt to contact them again.
Denise Porter-Ross moved table award for Improvement Resolution #1530-2003. Motion carried. Award tabled. Ron Sheppard to contact Miller Pipeline.

7. **AWARD:** Improvement Resolution #6915-03, Resurfacing Pkg. 3-2003 to Bunn Incorporated in the amount of $922,498.65. Contract Compliance concurs with this award;
Denise Porter-Ross moved approval of award for Improvement Resolution #6915-03, Resurfacing Pkg. 3-2003 to Bunn Incorporated in the amount of $922,498.65. Motion carried. Notice of award to be sent. Transportation Engineering Services to prepare contracts.

8. Approval of Board of Public Works Minutes of February 12, 2003;
Denise Porter-Ross moved approval of Board of Public Works Minutes of February 12, 2003. Motion carried. Minutes approved.

9. **IMPROVEMENT RESOLUTION #282-03,** Wallen Hills Addition Street Light Improvement;

This project involves upgrading existing lights, installing additional lights, and underground wire at intersections per residents request. The project will have standard 30 foot aluminum poles with 150W high-pressure sodium lights and underground wire. The total cost is about $12,000.00.
Denise Porter-Ross moved approval of Improvement Resolution #282-03, Wallen Hills Additional Street Light Improvement. Motion carried. Copy to be herein incorporated.

10. **IMPROVEMENT RESOLUTION #285-03,** Miscellaneous Street Lighting Package 2003;

Al Lichtsinn, Street Light Engineering, said that this project involves installing street lights at intersections and requested neighborhood areas. This project involves adding lights at intersections per annexation commitment and in neighborhoods that requested lights.
Denise Porter-Ross moved approval of Improvement Resolution #285-03. Motion carried. Copy to be herein incorporated.

11. **IMPROVEMENT RESOLUTION #6925-03,** Monroe Street: Lewis Street to Jefferson Blvd.;

Mario Trevino, Transportation Engineering Services, said that this Resolution is for reconstruction of curbs, sidewalks, driveways, alley approach, drainage, mulched seeding and restoration.
Denise Porter-Ross moved approval of Improvement Resolution #6925-03. Motion carried. Copy to be herein incorporated. Bids to be received on 3/12/03.

12. **IMPROVEMENT RESOLUTION #6927-03,** Beechwood Drive: South Wayne Avenue to Fairfield Avenue;

Mario Trevino, Transportation Engineering Services, said that this Resolution is for the reconstruction of curb ramps, curbs, sidewalks, driveways, alley approach milling, resurfacing, drainage, mulch seeding and restoration.

Denise Porter-Ross moved approval of Improvement Resolution #6927-03. Motion carried. Copy to be herein incorporated. Hearing to be scheduled.

13. **IMPROVEMENT RESOLUTION #6926-03,** Huguenard Road: Washington Center Road to Ludwig Road;

David Ross, City Engineer, said that this Resolution is for new traffic control system at Huguenard and Washington Center Intersection; pavement widening to accommodate center left turn lane, patching, wedging/leveling, resurfacing and marking; stormwater drainage rehabilitation; shoulder grading; driveway approach paving; grass seeding restoration and other related roadway work.

Denise Porter-Ross moved approval of Improvement Resolution #6926-03. Motion carried. Bids to be received on 3/12/03;

14. Approval of Agreement between the City of Fort Wayne and Right-of-Way Jones, Inc. to provide professional services for the buying of property for additional right-of-way for improvements to Pontiac Street & Wayne Trace Intersection. Proposed services include acquiring four parcels. Compensation for services performed shall be a fee not-to-exceed $4,000.00. City Engineering recommends approval;

David Ross, City Engineer, said that Right-of-Way Jones, Inc. would be acquiring 4 parcels for the City and City staff would be acquiring 1.

Denise Porter-Ross moved approval of Agreement between the City of Fort Wayne and Right-of-Way Jones, Inc. to provide professional services for the buying of property for additional right-of-way for improvements to Pontiac Street & Wayne Trace Intersection. Motion carried. Copy to be placed on file in vault. Notice to proceed to be sent.

15. Approval of Agreement between the City of Fort Wayne Board of Public Works and Project Renew to allocate $1,480.00 from 6th District CEDIT Funds for an entrance sign at the corner of Hanna-Creighton;

Denise Porter-Ross moved approval of Agreement between the City of Fort Wayne Board of Public Works and Project Renew to allocate $1,480.00 from 6th District CEDIT Funds for an entrance sign at the corner of Hanna-Creighton. Motion carried. Copy to be placed on file in vault.

16. Approval of Agreement between the City of Fort Wayne Board of Public Works and Arts United to allocate $132,580.94 from At-Large CEDIT Funds for replacement of brick pavers and moving the Helmholtz sculpture;

Denise Porter-Ross moved approval of Agreement between the City of Fort Wayne Board of Public Works and Arts United to allocate $132,580.94 from At-Large CEDIT Funds for replacement of brick pavers and moving the Helmholtz sculpture. Motion carried. Copy to be placed on file in vault.

17. Approval of recommendation received from Transportation Engineering Services to accept the work performed by Wayne Asphalt & Construction, Inc. on Improvement Resolution #6834-02, Hobson: Lake to State as an integral part of the City's transportation system;

Denise Porter-Ross moved approval of recommendation received from Transportation Engineering Services to accept the work performed by Wayne Asphalt & Construction, Inc. on Improvement Resolution #6834-02, Hobson: Lake to State as an integral part of the City's transportation system. Motion carried. Acceptance letter to be sent.

18. Approval of Release of Escrow received from Wayne Asphalt & Construction, Inc. on Improvement Resolution #6834-02, Hobson: Lake to State in the amount of $36,104.14. The Escrow Agent is Fifth Third Bank;

Denise Porter-Ross moved approval of Release of Escrow received from Wayne Asphalt & Construction, Inc. on Improvement Resolution #6834-02, Hobson: Lake to State in the amount of $36,104.14. Motion carried. Release of Escrow to be sent to the escrow agent.

19. Approval of Amendment No. 1 to Agreement between the City of Fort Wayne, Indiana and GRW Engineers, Inc. for Evaluation Report for Griswold Drive, Morton Street and Third Street Lift Stations. The amendment increases the contract amount by a maximum of $13,450.00 and adds to the scope of services, flow monitoring for the sewer system upstream of the Griswold Lift Station. Planning & Design Services recommend approval;

Mark Gensic, Planning & Design Services, apprised the Board that the following was added to the scope of work:

Install, monitor and remove flow monitoring equipment within the watershed for the Griswold Drive Lift Station in order to evaluate the actual flow rates conveyed to the station. A rain gage shall also be set up in the watershed and monitored over the same period as the flow meters. Two flow meters at separate locations in the system will be installed. The flow meters will be monitored for a period of one to two months depending on rainfall events.
Denise Porter-Ross moved approval of Amendment No. 1 to Agreement between the City of Fort Wayne, Indiana and GRW Engineers, Inc. for Evaluation Report for Griswold Drive, Morton Street and Third Street Lift Stations. Motion carried. Copy to be placed on file in vault. Notice to proceed to be sent.

20. Approval of request received from Steve Dillman for his son Andrew Dillman to sign a waiver for the Barrett Law process in connection with Improvement Resolution #6856-02, Maple Grove: Calhoun to Montrose and Calumet to Lafayette;
Denise Porter-Ross moved approval of request received from Steve Dillman for his son Andrew Dillman to sign a waiver for the Barrett Law process in connection with Improvement Resolution #6856-02, Maple Grove: Calhoun to Montrose and Calumet to Lafayette. Motion carried. Request approved.

21. Approval of Barrett Law Claims in the amount of $7,762.01;
Denise Porter-Ross moved approval of Barrett Law Claims in the amount of $7,762.01. Motion carried. Barrett Law Claims to be sent to the Department of Finance.

22. Approval of General Accounting Claims in the amount of $5,642,003.67;
Denise Porter-Ross moved approval of General Accounting Claims in the amount of $5,642,003.67. Motion carried. General Accounting Claims to be sent to the Department of Finance.

23. Old Business:

None.

24. New Business:

Approval of Full Release of Escrow received from Bowen Engineering on Res. #570-1998, CSO Pump Station in the amount of $64,760.82 plus earned interest. Bank One is the Escrow Agent; **Denise Porter-Ross moved approval of Full Release of Escrow received from Bowen Engineering on Res. #570-1998, CSO Pump Station in the amount of $64,760.82 plus earned interest. Motion carried. Full Release of Escrow to be sent to the Escrow Agent.**

Meeting adjourned at 11:10 a.m.

Greg Meszaros, Chairman

John Suarez, Member

Denise Porter-Ross, Member

ATTEST: Carolyn S. Newport

Carolyn S. Newport, Clerk

FEBRUARY 19, 2003

BOARD OF STORMWATER MANAGEMENT
ROOM 250—OMNI ROOM
MEETING HELD AT 9:00 A.M.

GREG MESZAROS, CHAIRMAN
JOHN SUAREZ, MEMBER
DENISE PORTER-ROSS, MEMBER

CAROLYN S. NEWPORT, CLERK

PRESENT: Greg Meszaros, Denise Porter-Ross, Carolyn Newport, BOPW; Jim Howard, Associate City Engineer; David Ross, City Engineer; Mario Trevino, Transportation Engineering Services; Jack Suter, Development Services; Ron Sheppard, Engineering Support Services; Bob Kennedy, Associate Director, Board of Public Works/Utilities; Mark Gensic & Keith Hood, Planning & Design; Jim Riemke & Al Lichtsinn, Street Light Engineering; Alan Grinsfelder, Project Engineer for Hanna-Creighton; Robert A. Welsch, Attorney for Loray Enterprises; Chris Payne, Project Renew; Daniel E. Serban. Attorney for Barry Slayton; Angela A. White, Summit City Reporting; Todd Guthrie, Wayne Asphalt. John Suarez, absent.

1. Administrative Hearing – Resolution of the Board of Stormwater Management of the City of Fort Wayne, Indiana Condemning Real Property for Use by the City of Fort Wayne, Indiana for Construction of the Hanna-Creighton Street Storm Sewer Improvement Project and Provision of Storm Sewer Detention Basin;
   Denise Porter-Ross moved to table the above-mentioned Resolution for two weeks. Motion carried. Resolution tabled.

   SEE ATTACHED TRANSCRIPT BY ANGELA A WHITE, REGISTERED PROFESSIONAL REPORTER, SUMMIT CITY REPORTING.

Hearing concluded at 10:22 a.m.

Greg Meszaros, Chairman

John Suarez, Member

Denise Porter-Ross, Member

ATTEST: Carolyn S. Newport
Carolyn S. Newport, Clerk

STREET LIGHT RESOLUTION

NUMBER 282-03

WALLEN HILLS ADDITION

STREET LIGHT IMPROVEMENT

The Board of Public Works of the City of Fort Wayne, Indiana, hereby deems it necessary to upgrade and install additional lights and underground wiring system in Wallen Hills Addition, all in accordance with the plans and specifications on file in the office of the Board of Public Works of the City of Fort Wayne, Indiana, and such lighting is now ordered. This improvement is ordered pursuant to the applicable Indiana Statutes.

This project is funded 100% by the 2003 Roadway Light Program CEDIT Funds. All proceedings and any work done in said lighting assessment of property and collections of assessments shall be as provided for in said above entitled acts and all amendments thereto and supplemental thereof.

BOARD OF PUBLIC WORKS

Greg Meszaros – Chairman

John Suarez – Member

Denise Porter-Ross – Member

ATTEST:

Carolyn Newport – Clerk

Dated this 19th Day of February, 2003

FEBRUARY 26, 2003

BOARD OF PUBLIC WORKS
ROOM 250—OMNI ROOM
MEETING HELD AT 9:00 A.M.

GREG MESZAROS, CHAIRMAN
JOHN SUAREZ, MEMBER
DENISE PORTER-ROSS, MEMBER

CAROLYN S. NEWPORT, CLERK

PRESENT: All Members & Clerk; Jim Howard, Associate City Attorney; Charles Bailey & Carl Wilson, Contract Compliance; Dawn Ritchie, Solid Waste Manager; Mary Jane Slaton, Nancy Townsend, and Jack Suter, Development Services; Pat Callahan, Keith Hood, & Mark Gensic, Planning & Design.

1. RECEIVE BIDS: Resolution #657-02: Wayne Township Natural Drain #4 Improvement

BIDDER	BASE BID
Bercot, Inc.	243,926.00
Crosby Excavating	253,772.00
Fleming Excavating, Inc.	179,736.00
Geiger Excavating	207,989.50
J&L Excavating	143,572.00
Kreager Bros.	203,684.00
Pioneer Associates	288,974.60
Reinhart's	171,759.20
Engineers Estimate	$275,350.00

Engineering Support Services to tabulate and report.

2. **AWARD:** Improvement Resolution #283-03, Lima Road Street Light Project (Edgewood to Fernhill) to Robert Henry Corp. in the amount of $21,743.50;

John Suarez moved approval of award for Improvement Resolution #283-03, Lima Road Street Light Project (Edgewood to Fernhill) to Robert Henry Corp. in the amount of $21,743.50. Motion carried. Notice of award to be sent. Street Light Engineering to prepare contracts.

3. **AWARD:** Improvement Resolution #1512-03, Camp Scott Phase 1 Pumping Facilities to Hagerman, Inc. in the amount of $3,547,000.00;

Denise Porter-Ross moved approval of award for Improvement Resolution #1512-03, Camp Scott Phase 1 Pumping Facilities to Hagerman, Inc. in the amount of $3,547,000.00. Motion carried. Notice of award to be sent. Engineering Support Services to prepare contracts.

4. **AWARD:** Improvement Resolution #1513-03, Camp Scott Phase II – Force Main to All Star Construction Const. in the amount of $898,206.00 for the Alternate Bid using PCCP pipe;

Denise Porter Ross moved approval of award for Improvement Resolution #1513-03, Camp Scott Phase II – Force Main to All Star Construction Const. in the amount of $898,206.00 for the Alternate Bid using PCCP pipe. Motion carried. Notice of award to be sent. Engineering Support Services to prepare contracts.

5. **AWARD:** Improvement Resolution #1530-03, Waynedale Water Main Replacement to Miller Pipeline in the amount of $573,759.00 for the base and $7,197.50 for the alternate;

Denise Porter-Ross inquired about the status of Miller Pipeline in connection with "non-compliance" issues on a previous project.

Ron Sheppard, Engineering Support Services, apprised the Board of the following: the staff contacted Miller Pipeline last Thursday and they did submit the project-end report for Contract #578-98, Pond #1 & #2 Repair. Miller Pipeline was also contacted about 3 monthly reports, but they were not contacted until Monday. Mr. Sheppard stated that he was expecting that paperwork very shortly.

Greg Meszaros gave the background on Miller Pipeline regarding "non-compliance" and stated that the City is still holding $17,000.00 retainage on Pond #1 and #2 Repair which was performed in 1999.

Ron Sheppard stated that he felt that the new person he spoke with would be more responsive to day-to-day needs. Mr. Sheppard said that compliance issues would be brought up at the upcoming Contractor's meeting. Mr. Sheppard said that he anticipated that the reports would be in by the end of the week.

Greg Meszaros stated that he would like to move forward on the award because the Waynedale project, besides being a great bid, is a key project to correct what is almost three miles of terribly performing water main and he would hate to see the customers suffer. Mr. Meszaros made a motion to move forward with this award.

Greg Meszaros asked Jim Howard, Associate City Attorney, if the City could hold a separate project hostage to compliance issues on a different project.

Jim Howard stated that technically the City could hold this project.

Denise Porter-Ross inquired if the City holds this project one more week, how far back will this put our schedule on getting this work started.

Greg replied that every week is a week off the schedule.

John Suarez stated that the City has waited 5 years for them to comply and that is too long.

Carl Wilson, Contract Compliance stated that his department made contact with Miller Pipeline on Monday at 4:00 p.m. and stated that they needed 3 monthly employment reports and the next morning, they received one. Miller Pipeline said that they didn't work the other two months and the City has payrolls stating that they did work in April and June. Mr. Wilson said that the only reason that the City received these forms is because of the award of the current project. Mr. Wilson said that they are not here to stop any projects, but it is the responsibility of Contract Compliance to enforce compliance.

Mr. Meszaros stated that he was not ready to draw the conclusion that because of one compliance issue for one project, that this is a troublesome company.

Greg moved that the Board move ahead with award giving the effort that we see moving forward on the previous compliance issue.

Denise Porter-Ross moved to table this award until next week to see if the City could move forward on this project. John Suarez seconded. Greg Meszaros voted "nay".

6. **AWARD:** Improvement Resolution #6920-03, Kern Valley Meadows to Garcia Concrete Construction Co., Inc. in the amount of $22,090.00;

John Suarez moved approval of Award for Improvement Resolution #6920-03 to Garcia Concrete Construction Co., Inc. in the amount of $22,090.00. Motion carried. Notice of award to be sent. Transportation Engineering Services to prepare contracts.

7. Approval of Board of Public Works Minutes of February 19, 2003;

Denise Porter-Ross moved approval of Board of Public Works Minutes of February 19, 2003. Motion carried. Minutes approved.

8. Approval of Purchase Agreement between the City of Fort Wayne and the Housing Authority of Fort Wayne, Indiana for 5300 S. Anthony Blvd.;

Mary Jane Slaton, Development Services, said that this Agreement is for the Fort Wayne Housing Authority to purchase the former Fire Station #12 and that the next step is to bring to the Board a Quit-Claim Deed next week so that the Board of Works can deed that to the Housing Authority. Ms. Slaton remarked that the Housing Authority is planning to use this facility for some offices.

Denise Porter-Ross inquired if this would need City Council approval.

James Howard stated that selling property between government agencies fall under a specific statutory provision and does not involve City Council.

Denise Porter-Ross moved approval of Purchase Agreement between the City of Fort Wayne and the Housing Authority of Fort Wayne, Indiana for 5300 S. Anthony Blvd. Motion carried. Copy to be placed on file in vault.

9. **IMPROVEMENT RESOLUTION #6916-03,** Hoevelwood Civic Neighborhood – 2003;

Mario Trevino, Transportation Engineering Services, said that this is for the improvement of 2626, 2706, 2716, 2726 & 2826 Palisade, between Fruehauf Drive and Salem Lane; and 2900 block of Hoevelwood Street between Churchill Drive and St. Henry's Lane with concrete pavement replacement, type 1-B curb replacement, drive approach replacement, sidewalks, ADA ramps, mulch and seed restoration.

John Suarez moved approval of Improvement Resolution #6916-03. Motion carried. Copy to be herein incorporated. Bids to be received on 3/12/03.

10. **IMPROVEMENT RESOLUTION #6918-03,** Resurfacing Package 1-2003;

Mario Trevino, Transportation Engineering Services, stated that this improvement is for resurfacing in the 4th and 6th Council Districts.

John Suarez moved approval of Improvement Resolution #6918-03. Motion carried. Copy to be herein incorporated. Bids to be received on 3/26/03.

11. **IMPROVEMENT RESOLUTION #6922-03,** Madison Street;

Mario Trevino, Transportation Engineering Services, stated that this improvement is for Madison St.: Lafayette to Clay, Sidewalk & Curb, and Madison Street: Francis to Harmar, sidewalk & curb, storm water rehabilitation, driveways, alley approaches and ADA ramps.

John Suarez moved approval of Improvement Resolution #6922-03. Motion carried. Copy to be herein incorporated. Bids to be received on 3/12/03.

12. **IMPROVEMENT RESOLUTION #6929-03,** Reserve Line Road: Lakewood Drive to Cul-de-sac;

Mario Trevino, Transportation Engineering Services, said that this Resolution is for reconstruction of the existing roadway with new asphalt pavement, new concrete curbing and drive approaches as needed, and rehabilitating the existing storm sewer structures.

John Suarez moved approval of Improvement Resolution #6929-03. Motion carried. Copy to be herein incorporated. Bids to be received on 3/12/03.

13. **IMPROVEMENT RESOLUTION #6931-03,** East Central Neighborhood Improvements;

Mario Trevino, Transportation Engineering Services, stated that this Resolution is for the improvement of Harmar Street between Jefferson Blvd. and Lewis: sidewalks, alley approaches, and storm water rehabilitation (east side only) and Francis Street between Jefferson and Lewis, sidewalks, yardwalks, curbs, driveways, alley approaches, and storm water rehabilitation (west side only);

John Suarez moved approval of Improvement Resolution #6931-02. Motion carried. Copy to be herein incorporated. Bids to be received on 3/12/03.

14. **IMPROVEMENT RESOLUTION #1515-2003,** Camp Scott – Phase IV – Excess Water Outlet;

Pat Callahan, Planning & Design Services, said that this Resolution is for the construction of a new 36" diameter gravity excess water outlet sewer. The purpose of the outlet sewer is to allow excess water from an effluent pond on the wetlands site to discharge near the northwest corner of the wetlands site into the new excess water outlet structure. The excess water will then continue to flow by gravity through the new 36" sewer to the north to intercept an existing 90" storm sewer. The Wetlands property is east of Wayne Trace, north of Moeller Rd. (Oxford St.), south of the former Conrail/Pennsylvania Railroad yard, and west of Bueter Rd. in southeast Fort Wayne.

Denise Porter-Ross moved approval of Improvement Resolution #1515-2003. Motion carried. Copy herein incorporated. Bids to be received on 3/19/03.

15. Approval of Amendment No. 2 to Professional Services Agreement between the City of Fort Wayne, Indiana and D. A. Brown Engineering Consultants, Inc. for Neuhaus Sanitary Sewer Interceptor Extension – Phase II. The amendment is for an additional $17,000.00 and increases the not-to-exceed amount for this Contract to $202,000.00. Planning & Design Services recommend approval;

Paul Powers, Planning & Design, said that the additional services necessary as follows:

(I) Survey & design revised interceptor route on the Buckner Farm property. Route change was recommended by the Parks Department.

(II) Perform wetlands delineation for the revised interceptor route. Based on results of wetland delineation, modify design drawings to facilitate permitting.

Denise Porter-Ross moved approval of Amendment No. 2 to Professional Services Agreement between the City of Fort Wayne, Indiana and D. A. Brown Engineering Consultants, Inc. for Neuhaus Sanitary Sewer Interceptor Extension – Phase II. Motion carried. Copy to be placed on file in vault. Notice to proceed to be sent.

16. Approval of Professional Services Agreement between the City of Fort Wayne, Indiana and D. A. Brown Engineering Consultants, Inc. for Sewer Master Planning Assistance. These services will be provided on "as-needed" basis for a period of one year from the date of contract approval. The not-to-exceed amount for this Contract is $30,000.00. Planning & Design Services recommend approval;

Paul Powers, Planning & Design, stated that the scope will include assistance in identifying wastewater collection system improvements and providing guidance in near-term and long-term planning scenarios.

Denise Porter-Ross moved approval of Professional Services Agreement between the City of Fort Wayne, Indiana and D. A. Brown Engineering Consultants, Inc. for Sewer Master Planning Assistance. Motion carried. Copy to be placed on file in vault. Notice to proceed to be sent.

17. Approval of Professional Services Agreement between the City of Fort Wayne, Indiana and Commonwealth Engineering for engineering and design services for a public lift station, force main and gravity sewer system to serve properties in the Parkerdale Addition area in northeast Fort Wayne. The estimated cost is not-to-exceed $98,000.00. Planning & Design Services recommend approval;

    Nancy Townsend, Planning & Design, apprised the Board of the following: the Parkerdale Project area is located on the northeast side of the City and is generally composed of the Parderdale Addition West and Evard Road areas. The proposed improvements will serve approximately 107 existing homes, which are presently on septic tanks.

    John Suarez moved approval of Professional Services Agreement between the City of Fort Wayne, Indiana and Commonwealth Engineering for engineering and design services for a public lift station, force main and gravity sewer system to serve properties in the Parkerdale Addition area in northeast Fort Wayne. Motion carried. Copy to be placed on file in vault. Notice to proceed to be sent.

18. Approval of Proposal from Griffin Real Estate Services, Inc. for negotiation and acquisition of an Access Easement for the Rothman Road Relief Sewer Project. The cost of the agreement is $2,000.00;

    Mary Jane Slaton, Development Services, said that this is for time and fee estimate for Acquisition of Permanent Access Easement for Arneo, Inc. (Parcel 3).

    Denise Porter-Ross moved approval of Proposal from Griffin Real Estate Services, Inc. for negotiation and acquisition of an Access Easement for the Rothman Road Relief Sewer Project. The cost of the agreement is $2,000.00. Motion carried. Copy to be placed on file in vault. Notice to proceed to be sent.

19. Approval of Change Order #7 received from Bowen Engineering, Inc. for Improvement Resolution #570-1998, CSO Pump Station Rehabilitation increasing the contract amount by $11,021.00. The original contract price was $529,298.00. The new contract price including this change order is $676,348.09;

    Ron Sheppard, Engineering Support Services, stated that this change order is for instrumentation, software and monitoring equipment, and that the equipment would be installed by Utility Personnel.

    Denise Porter-Ross moved approval of Change Order #7 received from Bowen Engineering, Inc. for Improvement Resolution #570-1998, CSO Pump Station Rehabilitation increasing the contract amount by $11,021.00. Motion carried. Contract price to be increased.

20. **RESOLUTION** authorizing the establishment of cumulative funds to hold area connection fees collected for the purpose of defraying the cost of planning, engineering, and construction of sanitary sewer within specific service areas;

Jack Suter, Development Services, explained the following: the Board of Public Works is charged with the responsibility for the operation of Fort Wayne City Utilities including long-term planning, financing, and construction of sanitary sewer infrastructure served by the Fort Wayne Wastewater system which is necessitated by continuing development of real estate to transport sewer to the Fort Wayne Wastewater Plant without creating an adverse impact on the physical, social and economic character of the City of Fort Wayne and its environs. The Board has established specific sanitary sewer area connection charges throughout the Utilities' service area for new connections to the sewer system to partially defray the cost of constructing and maintaining the sewage collection system. From time to time, the Board may authorize planning, engineering & construction projects within service areas covered by specific connection fees to improve the quality and capacity of the sewer infrastructure. Fees collection for new connections within those individual service areas should be earmarked and allocated to assist in the payment of costs associated with the planning and construction of said improvements specific to the service areas, which necessitated this resolution.

John Suarez moved approval of RESOLUTION authorizing the establishment of cumulative funds to hold area connection fees collected for the purpose of defraying the cost of planning, engineering, and construction of sanitary sewer within specific service areas. Motion carried. Copy to be herein incorporated.

21. **RESOLUTION** establishing a cumulative fund for the Beckett's Run Service area and 100 percent of all area connection fees collected for new collections within the Beckett's Run Service Area be placed in said fund from the effective date of this Resolution forward until directed differently by the Board;

Jack Suter, Development Services, said that the anticipated land development in the Huntertown contract service area and other areas within the area served by the Beckett's Run Interceptor, together with the existing sewage loads, has created the need to conduct planning, engineering and potential construction projects to assure that the transportation of sewage to the wastewater treatment plant would not create an adverse impact on the physical, social, and economic character of the community. This Resolution establishes a cumulative fund for Beckett's Run Interceptor Service Area and 100 percent of all area connection fees collected for new connections within the area service the by Beckett's Run Interceptor be placed in said fund from the effective date of this Resolution forwarded until directed differently by the Board.

John Suarez moved approval of RESOLUTION establishing a cumulative fund for the Beckett's Run Service area and 100 percent of all area connection fees collected for new collections within the Beckett's Run Service Area be placed in said fund from the effective date of this Resolution forward until directed differently by the Board. Motion carried. Copy to be herein incorporated.

22. Approval of Sewer Contract #2003-S-03 between Coldwater Office Park, LLC and the Fort Wayne Water Pollution Control Utility to construct a local sanitary sewer system to serve Coldwater Office Park. This project is inside the City. This project is in a green zone (PRIVATELY FUNDED);

Jack Suter, Development Services, said that this commercial development is for 6 buildings and said sewer to include 700 l.f. of 8" PVC Pipe.

Denise Porter-Ross moved approval of Sewer Contract #2003-S-03 between Coldwater Office Park, LLC and the Fort Wayne Water Pollution Control Utility to construct a local sanitary sewer system to serve Coldwater Office Park. Motion carried. Sanitary sewer to be constructed.

23. Approval of recommendation received from Engineering Support Services to accept the following work as part of the City's sanitary sewer system:

Contract #2002-S-14, Mallard's Lake Line 10-13 – Frontier Contractors

Contract #2002-S-05, Mallard's Lake Line 9 – Frontier Contractors

Contract #2002-S-44, Knolls of Ardmore Sec. III – Scheidleman Excavating

Contract #2002-S-46, Chapel Ridge Outlots – Fleming Excavating

Contract #2002-S-26, Lakes of Brook's Crossing Sec. III, Underground Contractors

John Suarez moved approval of recommendation received from Engineering Support Services to accept the following work as part of the City's sanitary sewer system. Motion carried. Acceptance letter to be sent.

24. Approval of recommendation received from Engineering Support Services to accept the work performed by Fox Contractors on Water Contract #2002-W-16, Chapel Ridge as an integral part of the City's water distribution system;

Denise Porter-Ross moved approval of recommendation received from Engineering Support Services to accept the work performed by Fox Contractors on Water Contract #2002-W-16, Chapel Ridge as an integral part of the City's water distribution system. Motion carried. Acceptance letter to be sent.

25. Approval of hourly rates regarding 2003 On-Call Drafting Services for DLZ, Russell Engineering, & D. A. Brown. Engineering Support Services recommend approval;

Ron Sheppard, Engineering Support Services, said that these are annual contracts and the Board is required to approve the yearly rates.

Denise Porter-Ross moved approval of hourly rates regarding 2003 On-Call Drafting Services for DLZ, Russell Engineering, & D. A. Brown. Motion carried. Copies to be placed on file in vault.

26. Approval of Escrow Agreements received from Robbco, Inc. for Contracts #03-01 and #03-02, Restoration of Water Maintenance Utility Cuts. The Escrow Agent is Ossian State Bank;

John Suarez moved approval of Escrow Agreements received from Robbco, Inc. for Contracts #03-01 and #03-02, Restoration of Water Maintenance Utility Cuts. Motion carried. Copies to be sent to the Escrow Agent.

27. **RESOLUTION** for CPI Increase for City Residential Solid Waste Contracts;

Dawn Ritchie, Solid Waste Manager, said that the following increases take place: refuse will be collected and disposed of at a rate of $60.85 per ton and recyclables will be collected and recycled at a rate of $111.67 per ton.

John Suarez moved approval of RESOLUTION for CPI Increase for City Residential Solid Waste Contracts. Motion carried. Copy to be herein incorporated.

28. **RESOLUTION** for Amendment to Contract for Residential Solid Waste Collection for City Containers;

Dawn Ritchie, Solid Waste Manager, said that this Amendment provides for the billing for collection and disposal of all waste from commercial containers at City Facilities other than Parks to be on a basis of 80 lbs. per cubic yard at the applicable tonnage rate specified in the City Contract for the remaining term of the Residential Solid Waste Contract. This Amendment shall be in effect 1/1/03 and will continue through the end of the Residential Solid Waste Contract: 12/31/04 or 12/31/05, if the City chooses to extend the Contract one year.

John Suarez moved approval of RESOLUTION for Amendment to Contract for Residential Solid Waste Collection for City Containers. Motion carried. Copy to be herein incorporated.

29. Approval of General Accounting Claims in the amount of $17,426,356.95;

Denise Porter-Ross moved approval of General Accounting Claims in the amount of $17,426,356.95. Motion carried. Claims to be sent to the Department of Finance.

30. Old Business:

None.

31. New Business:

None.

Meeting adjourned at 9:50 a.m.

Greg Meszaros, Chairman

John Suarez, Member

Denise Porter-Ross, Member

ATTEST: Carolyn S. Newport

Carolyn S. Newport, Clerk

FEBRUARY 26, 2003

BOARD OF PUBLIC STORMWATER MANAGEMENT
ROOM 250—OMNI ROOM
MEETING HELD AT 9:50 A.M.

GREG MESZAROS, CHAIRMAN
JOHN SUAREZ, MEMBER
DENISE PORTER-ROSS, MEMBER

CAROLYN S. NEWPORT, CLERK

PRESENT: All Members & Clerk; Jim Howard, Associate City Attorney; Charles Bailey & Carl Wilson, Contract Compliance; Dawn Ritchie, Solid Waste Manager; Mary Jane Slaton, Nancy Townsend, and Jack Suter, Development Services; Pat Callahan, Keith Hood, & Mark Gensic, Planning & Design.

1. **AWARD:** Improvement Resolution #640-2003, Farwood Avenue-Hystone Drive Sewer & Drainage Improvements to Reinhart's Excavating in the amount of $124,304.50 for the total alternate bid;

   Denise Porter-Ross moved approval of AWARD for Improvement Resolution #640-2003, Farwood Avenue-Hystone Drive Sewer & Drainage Improvements to Reinhart's Excavating in the amount of $124,304.50 for the total alternate bid. Motion carried. Notice of award to be sent. Engineering Support Services to prepare contracts.

2. Approval of Board of Stormwater Minutes of February 12, 2003;

   Denise Porter-Ross moved approval of Stormwater Minutes of February 12, 2002. Motion carried. Minutes approved.

3. Old Business:

   None.

4. New Business:

   None.

Meeting adjourned at 9:55 a.m.

Greg Meszaros, Chairman

John Suarez, Member

Denise Porter-Ross, Member

ATTEST: Carolyn S. Newport, Clerk

February 26, 2002

Board of Public Works
Room 250 - Omni Room
Hearing held at 10:00 a.m.

Greg Meszaros, Chairman
John Suarez, Member
Denise Porter-Ross, Member

ATTEST: Carolyn S. Newport, Clerk

PRESENT: All Members & Clerk; Marj Enders, Barrett Law Accountant; Richard Romary, Transportation Engineering Services.

1. Final Hearing to Confirm Assessment Roll for Improvement Resolution #6875-02, Victoria Drive: Inwood Drive to Eastern Terminus.

   Richard Romary, Project Engineer, explained the scope of the work.

   Greg Meszaros asked for questions from the floor.

   Helen Herman, 4205 Victoria Drive, stated that she lives on the corner of Thames and Victoria and had already been assessed $1,200 for the Thames project and did not think that she should pay $911.00 for this improvement.
   Greg Meszaros moved to cover the assessment for Helen Herman, 4205 Victoria Drive in the spirit of not assessing both sides of the property and instructed Richard Romary to work out the funding details with Rick Orr, Board of Public Works Accountant. Denise Porter-Ross seconded. So moved.

   Virgina P. Lloyd, 4111 Victoria Drive, complimented the contractor for a job well done.

   Richard Romary inquired if there would be another corner property and Virginia Lloyd stated that to the northwest of her. This was established to be 4131 Victoria Drive, owned by C. Gourlie Property Management.

   Greg Meszaros stated that both corner properties should be treated equally.

   Marj Enders explained the Barrett Law process.

   Denise Porter-Ross moved to confirm Assessment Roll for Improvement Resolution #6875-02. Motion carried. Assessments to be sent.

Hearing adjourned at 10:13 a.m.

Greg Meszaros, Chairman

John Suarez, Member

Denise Porter-Ross, Member

ATTEST: Carolyn S. Newport, Clerk

Board of Public Works
Room 250 - Omni Room
Hearing held at 10:15 a.m.

Greg Meszaros, Chairman
John Suarez, Member
Denise Porter-Ross, Member

ATTEST: Carolyn S. Newport, Clerk

PRESENT: All Members & Clerk; Marj Enders, Barrett Law Accountant; Richard Romary, Transportation Engineering Services.

1. Final Hearing to Confirm Assessment Roll for Improvement Resolution #6867-02, Courtwood Drive and Kirkfield Drive. Richard Romary, Project Engineer.

   Richard Romary, Project Engineer, explained the scope of the project.

   Greg Meszaros asked for questions from the floor.

   Linda Leer, 3505 Kirkfield Drive, stated that her driveway doesn't have much grade and that water stands in her driveway. She presented pictures to the Board.

   Richard Romary apprised the Board of the following: he stated that he had taken pictures and there was an adjustment of the curb throughout the project and they happened to be on a high point from where they had raised the grade and that it is ponding a little bit of water right at the joint where they matched in. He talked it over with the contractor to see if they could put a yard drain in to solve the problem, but it was decided that it would not solve her problem. The driveway itself by the garage could have a crown put in it like the roadway to shove the water off into the yard, because when elevation shots were taken from the gutter line of the street, going back far would not have fixed the problem. The driveway would have to be reshaped to get the water off. The driveway was cracked before the project.

   Greg Meszaros asked if the ponding situation was there before the project and Richard Romary said "no." Greg inquired if it was the recommendation of Transportation Engineering Services to correct the problem in connection with an upcoming project, the Inwood Drive project.

   Richard Romary said the crack is partially to blame, but part of it is that the street was raised.

Linda Leer said that she had received an estimate from Brooks Construction Co. Inc. for $4,500 to fix the driveway and Richard Romary said that it was a very high estimate. Ms. Leer said that she already had to pay $1,232.00 to get the driveway done and now still needed to get it repaired.

Greg Meszaros said that the repair of the driveway would be accruing a benefit beyond just the drainage problem.

Greg Meszaros directed the staff to work out the appropriate approach to correct the ponding water in connection with the Inwood project by sharing the cost with the property owner, with the property owner being allowed to use the Barrett Law process for the repair.

Marj Enders explained the Barrett Law process.
Denise Porter-Ross moved to confirm the assessment roll for Improvement Resolution #6867-02 and directed the staff to investigate the best recommended way to reach a viable solution. Motion carried. Assessments to be sent.

Hearing adjourned at 10:45 a.m.

Greg Meszaros, Chairman

John Suarez, Member

Denise Porter-Ross, Member

ATTEST: Carolyn S. Newport
Carolyn S. Newport, Clerk

BEFORE THE BOARD OF STORMWATER MANAGEMENT

ADMINISTRATIVE HEARING

COPY

Before: Greg Meszaros, Chairman
Ms. Denise Porter-Ross

DATE: WEDNESDAY, FEBRUARY 19TH, 2003

TIME: 9:00 o'clock a.m.

PLACE: The Offices of
City-County Building
Omni Meeting Room
Fort Wayne, Indiana

Called as a Witness herein, in Accordance with the Rules of Civil Procedure.

Before Angela A. White, RPR
Registered Professional Reporter

SUMMIT CITY REPORTING
Certified Shorthand Reporters
3492B Stellhorn Road
Fort Wayne, Indiana
(260) 486-3954
1-800-977-DEPO

I N D E X

THE BOARD OF
STORMWATER MANAGEMENT

ORDER OF WITNESSES PRESENTING TESTIMONY

WITNESSES:	PAGE
Mr. James Howard, City Attorney	5
Mr. Mark Gensic, Water Resources	14
Mr. Alan Grinsfelder	24
Mr. Chris Payne, Project Renew	35
Mr. Robert A. Welsh, Esq.	44
Mr. Daniel E. Serban, Esq.	59

* * * *

MR. MESZAROS: We are going to kind of go on a hiatus for the rest of the board agenda and switch to the Board of Stormwater Management Agenda for February 19th, 2003. Today's item of business is an administrative hearing for the resolution of the Board of Stormwater Management for the City of Fort Wayne, Indiana condemning real property for use by the City of Fort Wayne, Indiana for the construction of the Hanna-Creighton Street stormwater sewer improvement project and provisions for storm sewer detention basin.

I'll just give a little overview of the proceeding sequencing today. I think we'll start off first, Jim Howard, from our legal group, will give us a recap of this project and kind of what's before the board today. After Jim, we're going to ask Mark Gensic from our engineering group to come and speak about stormwater standards, particularly detention basins and the city's requirement for such. We are going to have the project engineer that's been working on this project, Alan Grinsfelder, come and give us

a little bit of the specifics of the project and the location of the detention pond and some other specific issues. We'll have somebody from, I believe, Project Renew.

Is there a Chris here today?

Chris will come and give us some testimony on the project and other good-faith efforts to acquire this property and other properties. Then, we'll take property owner testimony, either from the property owners or their legal counsel or both. And then, we'll kind of conclude, Denise, and deliberate a little bit and see where we go from there.

MS. PORTER-ROSS: Okay.

MR. MESZAROS: So we have a court reporter here today, also.

It was Angie, wasn't it?

THE REPORTER: Yes.

MR. MESZAROS: Good morning, Angie.

THE REPORTER: Good morning.

MR. MESZAROS: Angie will ask each person that comes to the podium to state their name, spell their last name, and also swear them in for testimony, and we'll start

with Jim Howard.

MR. HOWARD: Good morning, Mr. Chairman and Members of the Board. My name is James Howard, H-O-W-A-R-D, and I'm Associate City Attorney, Attorney for the Stormwater Board. Go ahead and swear me in.

* * *

MR. JAMES HOWARD,

called as a Witness herein,

having been first duly sworn,

was examined and testified as follows:

* * *

BY MR. HOWARD: Members of the Board, basically what I am up here for is to outline the procedure this morning, what's before the board, what's been done, and the decision the board has for itself today. Their being a quorum of the board present to make this decision, the decision before the board falls under the guidelines of Indiana Code 8-1.5-5-17, which provides that, if upon investigation, the board finds that, number one, the stormwater system is insufficient to keep the stormwater system in the stormwater district, which the

stormwater board oversees, to furnish the necessary collection and disposal of stormwater to properly protect the public health and welfare and safeguard the property within the district, or it is necessary to acquire, construct, rebuild, repair, extend, and improve the stormwater system and equipment, to acquire lands or to construct, erect, or acquire other systems and other structures and equipment of pertinent to them, then it provides a procedure that the board should follow.

The procedure outlines several steps. The first, that the board shall prepare maps, plans, specifications and drawings. In this matter, actually, it is Grinsfelder and Associates on behalf of Project Renew that had provided the maps, the plans, and the drawings for which the board has taken for their own use in this matter. I should also point out that those maps and plans that were provided by Grinsfelder and Associates have stormwater detention and stormwater drainage as required by the City Stormwater Department. So those

requirements on those maps and plans are city requirements, not Project Renew requirements. They are city requirements.

The second is that the board shall prepare a description of all property rights necessary to be acquired. That has been done in this matter with the assistance of Project Renew and Grinsfelder and Associates. Again, properties that would be -- necessarily be acquired to support the stormwater drainage and detention system.

The third is the board's applied estimated cost of the project. Of course, that has been done by Grinsfelder and Associates. And what is pertinent here is the cost of the actual stormwater sewer detention system and the stormwater drainage system for this site. That work has been done and, of course, is being used by this board. The cost of the stormwater sewer and detention system is the cost of the stormwater sewer and detention system, and, in effect, the city has a part in that cost.

And then the board shall adopt a

resolution approving the project. The board adopted this resolution, number 90-30-2, on January 29th, 2003 by quorum of its membership. The board published notification and mailed notification to the property owners in accordance with Indiana code 8-1.5-5-17, setting a time fixed for hearing and remonstrance against the procedure outlined by the board. This time and place set for hearing in that resolution was February 19th, 2003 at 9:00 a.m.

Per the statute, the owners of the property were notified personally. And per the statutes, the owners of the property are given an opportunity today to file a written remonstrance with the board, one of which has already been filed with the board, that would be from Lorays, as well as any person owning real or personal property within the stormwater district is given a right to be heard. Per the statute, the board may hear all persons interested in the proceedings and hear all remonstrances that have been filed today.

To make the record clear today and so

the property owners may hear all the pertinent facts from the city's side, I have asked those persons from the city and the Hanna-Creighton Street project to lay out their case for the stormwater requirements. We have asked that this matter be put on record and under oath so that if this record is necessary for any future proceedings, it will be, in fact, a record.

I would -- I would suggest, after the City and Hanna-Creighton Street Representatives present their case, that the remonstrators be given a chance to present any response to that. And finally, I would suggest after that, that any other persons interested in the proceeding should be given a chance to make relevant comment with regards to this procedure.

The standard that the board should use in making its determination that, number one, the stormwater system is insufficient; number two, it is necessary to acquire property to extend and improve the stormwater system in this district should be a preponderance of the evidence. That is,

any fact in support of such contention is more likely than not. If this matter is appealed, which the property owners do have a right to appeal this matter to a circuit or superior court, the only question before such reviewing authority would be whether the decision of this board was arbitrary and capricious, or not reasonable.

I suggest that the board divide this matter up into two hearings, as there are two significant issues before the board with regard to these subject properties. First, at the present hearing, I would ask that the board determine only one issue, and that is whether this is the correct use of the imminent domain procedure under 8-1.5-5-17.

At the end of today's hearing and the presentation of evidence, the board may either confirm, modify, or deny the resolution suggesting that it is -- that is the suggestion that is before it. I would suggest that at the end of today's hearing that the board take all these matters before it under advisement and make the decision in a couple weeks to allow for digesting of the

record in this matter.

If the board confirms and modifies -- and/or modifies the resolution, then the board would issue another confirmatory resolution which would call for another hearing on the issue of value. The board could insist on appraisals done in support of such value, but may also rely, in my opinion, on alternate due diligence in support of such value. Property owners would be given a chance at that hearing to present additional testimony in that hearing to assure that any decision on value was not arbitrary or capricious.

The board then would issue a final condemnation resolution with the appropriate value. After that, there would need to be subsequent ratification by counsel. This document would then be eligible for recordation. The property owners would have 30 days after that final ratification to appeal this superior and/or -- and/or a circuit court to raise any pertinent issues with regards to whether the decisions of the board were arbitrary and capricious with

regards to the appropriation.

That's the process that we start on today. I would add as a post-comment that, during this entire process, we would encourage the parties to attempt to work out this problem by alternate means. We realize that imminent domain is a last resort of the board, and we would ask that the parties involved in this matter attempt to work out some kind of fair negotiation for all parties and perhaps think outside the box with regards to tax credits or whatever else is available for them out there that might make all the parties happy with regard to valuation.

And so with that, I would ask if the board has any questions to what I've just presented?

MR. MESZAROS: Denise, any questions for Jim?

MS. PORTER-ROSS: You had mentioned just a couple of things that are, today we could either confirm or modify, and you described what happens with that. And if we would vacate or decide to disaffirm, what

was -- what's the procedure at that point?

MR. HOWARD: Well, if the board -- if the board denies the resolution, then this matter is dropped and --

MS. PORTER-ROSS: Okay.

MR. HOWARD: -- and then we would fall back to the parties involved.

MS. PORTER-ROSS: Okay.

MR. MESZAROS: Jim, we can kind of put this in continuance for a week or and then kind of deliberate on this --

MR. HOWARD: Yes.

MR. MESZAROS: -- and then come back and really confirm, deny, or modify?

MR. HOWARD: Yes. I would ask that -- in fact, I would strongly suggest that the board take this matter under advisement, digest the record, and spend two weeks looking at this, and then come back with its confirm, modify, or deny resolution.

MR. MESZAROS: Other questions?

MS. PORTER-ROSS: There's no other questions. We just received the remonstrance today, so we haven't even had a chance to read that, so I agree with your

recommendation.

MR. MESZAROS: Okay. Well, thanks, Jim. I think we'll keep rolling along here.

I would like to have Mark Gensic from our engineering group come up and describe the city requirements and intention and why we have those requirements.

Good morning, Mark.

MR. GENSIC: Good morning.

MS. PORTER-ROSS: Good morning.

MR. GENSIC: I'm Mark Gensic, G-E-N-S-I-C.

* * *

MR. MARK GENSIC,

called as a Witness herein,

having been first duly sworn,

was examined and testified as follows:

* * *

BY MR. GENSIC: My name is Mark Gensic, and I'm manager of Water Resources Planning and Design Department for the City of Fort Wayne Utilities, and that includes water, sanitary, and stormwater engineering.

I'm a civil engineer with land surveying and development design

experience. I'm registered engineer number 18104, licensed by the State of Indiana.

One of the reasons for state licensing involves the engineer's responsibility to design according to standards that protect the public's health and safety regarding our particular area of engineering expertise and experience. I've been licensed since 1979 and have over 20 years of experience in land surveying, civil engineering, utilities engineering, land planning and design.

I've designed storm drainage facilities for several communities in Northern Indiana, including Fort Wayne, Columbia City, Auburn, Churubusco, Decatur, Geneva, Portland, Logansport, Anderson, Topeka, Waterloo, and Ashley. I'm familiar with the engineering principles and design standards of several communities regarding stormwater facilities. I've also designed stormwater detention basins for projects in Valparaiso, Portage, Auburn, and Fort Wayne.

From 1988 to 1992, I was City Engineer for the City of Fort Wayne, and also by

state statute, since I'm a licensed engineer, I was a member of the City Planning Commission for those five years.

As a plan commission member and city engineer, it was my responsibility to oversee the engineering departments who reviewed development plans for a new development and redevelopment for the City of Fort Wayne. I gave technical advice to the City Plan Commissioners regarding the plans submitted by architects and engineers seeking city approval for construction. And in that job, I also became familiar with the topography of Fort Wayne and the sewer and drainage systems.

I'm currently manager of the Planning and Design Department for Water Resources. We're also known as Utilities Engineering. One of my current responsibilities is to oversee the engineering standards used for the development and therefore additions to the city's utility infrastructure.

Fort Wayne has three major water related utilities: potable water, storm sewer, and then sanitary sewer, which also

includes the areas of the city that has combined sewers serving both stormwater and sanitary needs in the same piping system.

Recently, in January of 2002, we completed an update of the city's development standards regarding design and construction of improvements to these three utilities. This board adopted those standards in January of 2002. We compared our standards to other cities of our size and we reconfirmed the standard municipal utilities engineering practice of requiring stormwater detention facilities in order to protect downstream properties, streets, basements, and other private and public facilities from flooding caused by upstream development.

The requirement is to build detention facilities for holding back stormwater is an accepted national practice founded upon good engineering principles and born of problems experienced wherever development changes to existing rain runoff conditions upstream has caused downstream flooding.

Stormwater Management is a manual dated

1975 and published jointly by the Urban Land Institute, the American Society of Civil Engineers, and the National Association of Home Builders. The Urban Land Institute is an independent, nonprofit organization started in 1936 to improve the quality and standard of land use and development. The American Society of Engineers was founded in 1852 with the objective of the advancement of the science and profession of engineering. The National Association of Home Builders is a professional trade organization representing the bulk of the housing industry. That homebuilders association represents industry's views to Congress, the Administration, and to government housing agencies, offering advice and guidance on every phase of building operations from land use to construction techniques.

In the Stormwater Management Manual, there are objectives, principles and design considerations listed. In the introduction to this manual are these words: "The downstream urban flooding problem has become

acute during the past 30 years, and there is an emphasis of detaining or storing rainfall where it falls, on-site." That was 1975. Detention of stormwater for downstream flood control has been an accepted standard practice across the United States of America for over 25 years.

I have an attachment here from the Development Criteria Standards that lists our city standards for stormwater detention. The Fort Wayne Development Criteria Standards Manual, under unit two of Stormwater Design Practices, requires that we follow the standard flood protection practice, required detention of flood water on the site when the unrestricted stormwater release adversely affects the stormwater infrastructure downstream. In other words, when proposed development project increases the runoff of rainfall from the site.

In there you'll see a graph that shows how we review a project and why it's important that detention be required when that stormwater runoff increases the potential of downstream flooding.

I reviewed the proposed development plans for this project, along with four other engineers in our Water Resources Department. I've visited the site to see the existing conditions, and I've compared these conditions with the proposed development plan. The development site plan shows the layout of proposed buildings, parking lots, sidewalks, driveways, and greenspace.

Why is detention needed? Because this project will increase the amount of stormwater runoff. Detention is needed to protect the areas downstream of this project from flooding.

Why will this detention be beneficial to the neighborhood? Because it will contain the stormwater from the increased runoff on the site and not allow it to add to the peak of downstream flooding conditions. In this particular area of the city, those flooding conditions would have shown up north and downhill of the land east of Hanna Street and north of Buchanan Street. It is the city's responsibility to

review these changing conditions caused by new construction and development to protect the downstream facilities from additional runoff during rainfall events that cause flooding.

In anticipation of the redevelopment and other improvements proposed for the Hanna-Creighton area, the City's Water Resources Development Services Department commissioned a study of that area.

I've got an excerpt from that study.

A review was made of the existing sewers and the elevations of the slopes of the land surface. It was based upon sound engineering practice and cost effective design parameters. It was determined by this report that the best location to build detention facilities would be the southeast corner of the intersection of Hanna Street and Buchanan Street in the several lots closest to the -- closest to Hanna and Buchanan.

There's a site map on that attachment I just gave you from the study showing the

recommended location for the stormwater detention facility.

That study was prepared in order to take a comprehensive look at upcoming redevelopment projects for this area and to take into consideration the stormwater and sewer infrastructure needs for the larger neighborhood area where future improvements are likely. In that sense, the study is a master plan for guiding and coordinating the individual plans that we anticipated would be coming to the City Water Resources Development Services Department for review for compliance with utility development criteria and standards -- with these standards.

On a personal note, it's not easy for me to stand before the board and give testimony on a matter that may eventually result in a condemnation of somebody's property. I personally respect the rights and the work efforts of the individual property owners involved, and I hope that the property owners and the authorities organizing the development of this project

will reach a mutually beneficial agreement. But as a City Water Resources Engineer, it is my responsibility to report that the development of this property will require stormwater detention, and that is what is in the best interest and beneficial to that entire neighborhood.

Any questions?

MR. MESZAROS: Questions for Mark?

MS. PORTER-ROSS: I don't have any questions at this time.

MR. MESZAROS: Thank you, Mark.

Okay. Now I would like to call Alan Grinsfelder, who has been the project manager for this project and have him come up and give us a little bit of overview of the specifics of this site and why the detention pond was located where it is and some of the other infrastructure issues here.

MR. GRINSFELDER: Hi. I'm Alan Grinsfelder, G-R-I-N-S-F-E-L-D-E-R.

* * *

MR. ALAN GRINSFELDER,
called as a Witness herein,
having been first duly sworn,
was examined and testified as follows:

* * *

MR. GRINSFELDER: Hi.

MR. MESZAROS: Good morning.

BY MR. GRINSFELDER: This goes back a long way, and I'm going to try and do it quickly. But back in the nineties, the late nineties, there was a study done of the Hanna-Creighton -- of Creighton Avenue from Anthony to Hanna, and it was done by Wolpert and Associates. And they really recommended that the intersection of Hanna and Creighton be one of the keys to the development of the whole area, and also down by Anthony, that would be another entryway to this area. And besides what we are doing, there's a lot being done around the police station and the housing, south and east of Hanna-Creighton.

I was hired by the library to start looking for a site, and while I was doing it, the Director of the Urban League was also very interested in keeping the Urban

League, who was considering a new building, close to the library, because they felt there was a lot of interaction between the two.

We looked at a lot of properties, and we also met with the neighborhood associations and the people who use the Pontiac Library, which is on Warsaw Street, which is a whole other story. After a lot of investigation, we felt that the best location for the library was at Hanna and Creighton, right by the intersection where there would be a lot of visibility so people would know where the library was.

At the same time, the Fort Wayne Urban League said, "We would like to be on that site right next to you." And, of course, Project Renew had been purchasing those sites for a soccer field for the Zion Lutheran School.

In working with Pastor Harrison, who was then the minister of that church, they were willing to defer their soccer field because they felt that this was very important to this neighborhood for the

development of the neighborhood. So we started laying out the project with both the library and the Urban League. And then, low and behold, Saint Peter's School -- Saint Peter's sold their school to a developer who is going to put housing for the elderly in it. And because of that, Head Start, which was then occupying the building, would be forced to leave that building. And Head Start felt they had a very strong presence in that community and wanted to stay there, so they asked if they could also be a part of this project because they felt there was a strong relationship with the library and with the Urban League.

And then on top of that, one of the other plus factors for this site was the Citilink. The bus routes go on Creighton, and they go on Hanna. And working with Citilink, who has become a partner in this, we've developed a bus pull-off where people who need bus transportation, public transportation, would have a chance to either get a bus to the site for any of these facilities and also use the bus to

leave the site.

So those were the things that had a big impact on me, as the designer of the site, and we laid out these three buildings. As we were doing it, we were in constant contact with the city, and we were getting ready to come before the city for a primary development plan. We couldn't do it for the whole site because we needed all the property owners' signatures and we couldn't obtain all of those, but the land where the library is did have -- that was owned by Project Renew and we were able to do a primary development plan, which has been approved.

Now, the other big factors, there's an alley running north/south on this site, and this site is 20 feet higher at the south end than it is at the north end. It drops down to the north. That's a combination sewer in that alley, which means that stormwater and sanitary sewage go into it. And in heavy rains, there's an opportunity for that to back up and to cause problems in basements and in homes in the area.

So the city, of course, said, you have to separate the stormwater from the sanitary sewer, and that's when we started meeting with the city to develop designs for how to handle that stormwater.

All of the participants, the library, Head Start, and the Urban League wanted an address on Hanna Street. They wanted to face Hanna Street so that people could see them. So the parking that we were required and we wanted to have for the three occupants was placed along Weiser Park Place, but it was screened from the street to try and soften the parking.

In the parking lot, we have storm drains that will take a lot of the water, and I have some smaller maps for you that I would like to pass out.

And it's the picture on the front is what is up here, so that might be a little easier.

We didn't have a lot of land to provide stormwater detention, which is a requirement. And the lowest part of this block is in the northwest corner, which is

the southeast corner that Greg -- or Mark just mentioned. And the volume that they wanted us to detain was, I think a one foot acre, and that's like 43,560 square feet but at one foot depth.

And so we looked at where we could do this, and this is the only place that we found that it was possible to do this. So this is how the design ended up at that corner.

That's really all I have to say about it. I'm sorry for taking up so much of your time, and I'll answer any questions you have.

MR. MESZAROS: A couple of questions. When you say "that corner", you mean which would be the northern corner of the property, kind of where Buchanan and Hanna come together?

MR. GRINSFELDER: Correct.

MR. MESZAROS: Is that --

MR. GRINSFELDER: Yes.

MR. MESZAROS: Just looking at our map here, specifically when you originally had some kind of a study on some alternatives

for this area, that's where we also had the pond recommended. So it sounds like that's just because the land slopes off that way?

MR. GRINSFELDER: It slopes from south to north and a little bit to the west. That's the lowest point. And then there is across -- diagonally across that intersection, there is a 27 inch storm sewer, which this will tie into.

MR. MESZAROS: Now, it looks just from your plan, the Head Start building, is that at that corner?

MR. GRINSFELDER: Yes.

MR. MESZAROS: Now, will this detention pond just serve the Head Start building or will it serve that whole block?

MR. GRINSFELDER: No, it will serve the whole block. In fact, when the library got their primary approval, they showed it tying in on Hanna Street, and all of the routing review said, "We'll let this go for primary, but you won't get secondary unless you tie in at this northwest corner."

MR. MESZAROS: So all the parking, the library, the Head Start, the -- I don't know

what the other building is, but Buchanan --

MR. GRINSFELDER: The Urban League.

MR. MESZAROS: The Urban League. All that is going to be served by this detention facility?

MR. GRINSFELDER: That's correct.

MR. MESZAROS: Now, Alan, you also mentioned that --

MR. GRINSFELDER: And the parking lots, too.

MR. MESZAROS: And the parking lots. -- that there was a combined sewer running through this north/south alley that looks like about an 18 inch combined sewer?

MR. GRINSFELDER: It's a, yeah, brick sewer.

MR. MESZAROS: Now, what's going to happen to that existing infrastructure?

MR. GRINSFELDER: Well, when the entire block is the property of these three organizations, we have a design where that sewer, the sanitary sewer, will go in Weiser Park Place, and that will flow from south to north also and tie into the sewer on Buchanan, but it's a sanitary sewer only.

MR. MESZAROS: So it will just be a separate sanitary?

MR. GRINSFELDER: Yes.

MR. MESZAROS: Okay. So we really do, at least in that one block, eliminate that, that being a combined sewer?

MR. GRINSFELDER: Right, which is for the improvement of that area.

MR. MESZAROS: Yeah, anytime a combined sewer is going away is good news.

Well, I -- Denise, did you have other questions?

MS. PORTER-ROSS: No, I'm fine, because what we are looking at is, the rendering that we have here, you don't really show the detention pond, but it's probably not --

MR. GRINSFELDER: It's just in a single line drawn there.

MS. PORTER-ROSS: A line there, okay.

MR. HOWARD: I just wanted to point out something that you may not have mentioned, but with regards to the stormwater drainage, the second property that was before the board. I mean, you've mentioned the

stormwater detention basin, but with regards to the residence, could you comment on that, the need for the stormwater drainage up there in the parking lots?

MR. GRINSFELDER: Right. Well, all of these buildings and their roofs will have downspout gutters and downspouts, and they will drain to the parking lots which also slope down and then feed to the detention pond. And, you know, you can't have a really deep detention pond, because if you do, a lot of that storm stormwater will sit there and that will become a problem, so there's a certain depth that's allowable to that and we wanted where it would look good, and fit in with the pond, too.

MS. PORTER-ROSS: And when we're calling it a detention pond, is it basically to take the water runoff?

MR. GRINSFELDER: Right.

MS. PORTER-ROSS: We're not talking about ice skating? We're not talking about a utilitarian type of pond?

MR. GRINSFELDER: No.

MS. PORTER-ROSS: It's just more,

essentially, to control the runoff water in the ground, correct?

MR. GRINSFELDER: Essentially, it's more like a depression in the ground. There would be grass and landscaping.

MS. PORTER-ROSS: Right.

MR. GRINSFELDER: It will look very nice.

MS. PORTER-ROSS: Okay.

MR. HOWARD: One other issue. The question has been raised of whether a portion of the Loray property would satisfy the detention requirements. Could you address that to the board?

MR. GRINSFELDER: Yeah. I checked with our engineers on that and the size of the land is 70 feet by 150 feet, and that only gives us about two tenths of a foot of detention where we need one foot of detention. It's not large enough.

MR. MESZAROS: So to try to meet our city standards for detention, that would not be sufficient to come anywhere close --

MR. GRINSFELDER: No.

MR. MESZAROS: -- to those thresholds?

MR. GRINSFELDER: No, not at all.

MS. PORTER-ROSS: Okay. I have no other questions.

MR. MESZAROS: Okay.

MR. GRINSFELDER: Thank you for your time.

MR. MESZAROS: Now I would like to have, I believe it's Chris, from Project Renew come up and give us a little background, particularly the efforts to acquire the current properties in question, maybe how many properties have been acquired for the project, just a little overview and some of that background.

MR. PAYNE: My name is Chris Payne, P-A-Y-N-E, and I'm representing Project Renew.

* * *

MR. CHRIS PAYNE,

called as a Witness herein,

having been first duly sworn,

was examined and testified as follows:

* * *

BY MR. PAYNE: I, like Mr. Grinsfelder, will try to be brief, but I've been with

this project or Project Renew since the Spring of 2001, working on acquisitions of those properties in question for that block. If I could, I would like to start with the Loray property and summarize that one and then move to the Berry Slayton property, which is 2132 Weiser Park, and the Loray property is 708 Buchanan.

Basically, I have been in negotiations with Anthony Thomas, who is one of the owners of that property. The deal, basically, that we were working at was three options. We started out with, one, was the total relocation of their store, the grocery store and the liquor store. The other option was just the relocation of possibly just the grocery store with a buyout or sale of the liquor store. And the third option was total acquisition, just a buyout, a cash buyout of the store.

Where we are at this point, the last thing that was on the table that was presented was an actual relocation of the grocery store and the liquor store to the northwest corner of the property of Buchanan

and Hanna, that northwest corner starting with the pool hall, the alley, and going towards the home there located.

Preliminary plans were presented of the layout of what that building would consist of. It would consist of two separate buildings. We had some preliminary meetings with the city to look at vacating that alley that runs east and west. They didn't see a problem with it, although they didn't give approval. We kind of had preliminary discussions. There was no utilities occupying that alley or what have you, so the plan for relocation of the store was there. We have an option on that property, so we were willing to do a like kind of exchange and basically build them the building, move them over into that building, and exchange properties.

We had had some discussions with the redevelopment commission. They were willing to participate in relocation with some redevelopment dollars, approximately about 15,000 to help with the move and some other things, tax abatements that we would go for,

five year tax abatement that we would give to them just on the grocery store portion, not on the liquor store. That was the proposal that was presented.

Basically, they didn't feel that that was adequate or that location would work or that size of store left them no room for growth. The last correspondence I had with them was saying, because they had then placed back on the table an actual acquisition of the property, a buyout of 750,000. I then recommended that we enter into an appraisal to appraise the building and get some type of basis for negotiations to start with regards to acquisitions, meaning of the buyout, I should say. That's where we are with that particular.

As late as Friday of last week, I've spoken with their attorney and we have been discussing back and forth some numbers with regards to the buyout of that property.

Any questions on that one before I move to Berry?

MS. PORTER-ROSS: Just you mentioned appraisal. Do you have an appraised value

for the property?

MR. PAYNE: Okay. Two things: One, we had two appraisals done just for the real estate. Okay? Which was prior to this. And in my last correspondence, I recommended that we have a full-blown appraisal that took into account the business, --

MS. PORTER-ROSS: The business, okay.

MR. PAYNE: -- as well as the real estate to determine what that value was. We do have two appraisals that do show what the actual real estate was appraised at.

MR. MESZAROS: We have pictures.

MS. PORTER-ROSS: We have pictures of the building.

MR. PAYNE: Okay. With regards to the property 2132 Weiser Park, Berry Slayton's property, we had basically entered into negotiations to relocate the property, to pick up his home and move it across the street and place it on a basement foundation. In that transaction, we would pay all costs for the relocation of that house, putting in a basement, and actually there was about two and a half or three

quarters of a lot, as opposed to one lot that was going to be given.

We were then informed that he was no longer willing to relocate on his own and wanted to get a cash settlement -- or before the cash settlement, he asked that we replicate his home somewhere else, so he would get us some drawings with regard to replicate that and what that cost would be. We were presented drawings that did not reflect his current housing, and the pricing was for a home that was not matching what he had.

We then suggested our number in response to what he had presented to us. He then suggested or came back after we had presented our number and suggested that he wanted to now relocate his home back over across the street. Since that time, we've had conversations with his attorney, and that was last Wednesday, I believe it was, and we are in negotiations now whether it's a relocation or actual purchase of that home or what that dollar amount would be.

So we have been negotiating with both

parties. With Loray, the negotiations have gone very well. I mean, no animosity or what have you. It's been a very amenable situation, and the same way with Berry Slayton. I didn't mean not to suggest that it hasn't been the same with Mr. Slayton.

MR. MESZAROS: Chris, a couple questions. How many properties have you acquired that are in the bank, so to speak, for the project?

MR. PAYNE: I cannot give you the exact number, but we have all the properties except these two.

MR. MESZAROS: So these would be the remaining two?

MR. PAYNE: Right.

MR. MESZAROS: My other issue is more of a comment. I think you and your organization are key to continuing to make this happen. I think as we bring people to the podium and they are sworn in and we are in a proceeding thing like this, this can sometimes, you know, get people a little anxious about this. You know, we would, in my personal opinion, much prefer this to be

settled agreeably, not have a judge make some ruling several months from now and order appraisals and those things. That if there's a way for you and the group to continue to dialogue, as Jim suggested, continue to look at other alternatives and out of the box solutions, that that's key.

I would want in no way the board's hearings and proceedings and as this moves forward to in any way dampen or remove the energy from you guys continuing your dialogues to see if we can't reach agreement, mutual agreement, on these two properties. So I just wanted to say, feel free to continue that dialogue and continue to try to solve this issue outside of our condemnation hearings.

MR. PAYNE: Just a follow-up to that. Today, we do have -- I'm supposed to go with Berry and his attorney to take a look at his home and to walk through and look at some of those extra amenities that he says he has in it that we haven't had a chance to walk through. So we are continuing that dialogue as you're suggesting, and then we're

supposed to be having a follow-up conversation with the attorney for Loray. As I said, we spoke on Friday. Unfortunately, he had some other issues, couldn't get back to me until Monday, and we will be following up back up today, so we are continuing that dialogue.

MS. PORTER-ROSS: So contrary to what we sometimes see in the paper, talks are going forth. Nothing has broken down and you can still --

MR. PAYNE: Not at all.

MS. PORTER-ROSS: -- listen to one another? Okay.

MR. MESZAROS: Lastly, Brad (sic), I would suggest to you that if the city, other planning staff, or other folks can play a role in terms of helping, you think, new ideas to get across the finish line here, I'm sure that many city staff has been and will continue to partner with you and also the property owners in helping to broker this --

MR. PAYNE: Okay.

MR. MESZAROS: -- decision.

MS. PORTER-ROSS: I'm done.

MR. MESZAROS: Thank you.

MR. PAYNE: Thank you.

MR. MESZAROS: Okay. Now, I would like to take some testimony from the property owners or their legal counsel or both. I don't have the names of who is here to testify, but we'll kind of just take it in order.

Would you please come up to the podium and give your name and get sworn in.

MR. WELSH: Thank you, Mr. Chairman.

My name is Robert A. Welsh, W-E-L-S-H.

* * *

MR. ROBERT A. WELSH,

called as a Witness herein,

having been first duly sworn,

was examined and testified as follows:

* * *

BY MR. WELSH: I'm legal counsel for Loray Enterprises, Inc.

For those of you who may not know, Loray Enterprises is a family business. A good number of the family members are here today. I would like to take a moment

briefly to identify them, introduce them to you.

The founder of the business is Mr. Thomas, Ray Thomas, who is deceased, but his wife, Loretta, survives him. She's one of the shareholders in the corporation.

Ms. Loretta, would you stand, please.

Thank you.

Loretta and her husband had six boys. Their names are Jeff, Anthony, Les, Sid, Peter, and Dennis. And I think most of them are here today. And would those of you who are here, please stand.

Together, they cumulatively own all of the shares of Loray Enterprises, Inc.

I indicated earlier that this is a family business. It's been in place for in excess of 40 years. Went into the neighborhood in the 1960's. Has stayed in the neighborhood through thick and thin. When others left, they stayed. When others wouldn't come in, they remained.

It's been a business that supports family members. As you've already heard, it's a packaged liquor store and adjoining

grocery or convenience store. Peter, one of the brothers, makes his sole living, his complete livelihood from the convenience grocery.

We are here today to ask this board not to proceed with your preliminary resolution. In other words, not to confirm and finalize a resolution to condemn. And I'm going to get to the reasons for that in a minute, but before I do, I would like to outline for you briefly what I understand the negotiations or the path of discussions have been, because I think it's got some relevance to you, ultimately, when you make your final decision.

Mr. Payne had indicated that there were basically three solutions that had been discussed, and I think that he correctly outlined those. One of them would be a cash buyout. A cash buyout is something that, in terms of price, has not been something that the parties have been able to agree on. I don't really think that the parties have had a fair opportunity to agree on a cash buyout solution.

My understanding is that, the appraisals that Project Renew has obtained apparently went only to the real estate. I think it's fair to say that everybody here understands that if you're buying a business, an ongoing business and a business that has been profitable, you buy more than real estate. Any of us who have had a business and sold a business know that, in the sales price, there's a lot more to it than just the real estate. So we haven't had that kind of valuation.

I think in order for that particular solution to have any opportunity to succeed, the parties need to have the kind of valuations that value a business, an ongoing successful business, with whatever value the goodwill of its customer base would generate, and they all need to recognize that, and at this point in time that hasn't happened. I suggest that's the reason that particular solution hasn't been able to work.

The other solution that he mentioned was, there's a piece of vacant ground

catty-corner to the northwest, if my directions are accurate. It's a corner property that doesn't have anything on it right now, and I think originally there was discussion about moving the business over there, relocating it. While that particular parcel is smaller than the parcel where Loray is currently located, nevertheless the family was amenable to trying to work that out.

My understanding is, the reason that didn't get worked out is that Project Renew was unable to acquire that property. I don't honestly know whether they were unable to acquire it because it simply wasn't going to be sold to them, period, at any price, or whether it was a pricing issue where they say, we can't acquire it because it's just too expensive. I don't know that.

But be that as it may, I tell you this because, ultimately, it's important for you to understand that my clients are not digging their heels in and saying, "We don't like this project. We don't want this project. We want to stop this project."

Or, "We want to be obstructionists with respect to this project." That has not been their attitude.

I've read correspondence from mid-2002, and there's a lot of it going back and forth. It's all very, very congenial, courteous, and without rancor or bitterness between Project Renew and Loray Enterprises. It's been very business like and very professional on both sides, and I haven't found one bitter comment in the entire batch of that correspondence. So it's not a matter of what we are talking about here, of thinking just of themselves and thinking, "No, we don't want to have this project."

The third solution that has been suggested is a relocation a little bit north of the catty-corner lot. And the problem with that is that, from my client's perspective that really is an objectionable situation because the property that Project Renew suggested they would relocate on would require them to build a store that wouldn't face the road. It would be one of these

stores that's oblonged where the length of it goes the length of the lot and the length of the lot goes away from the street, whereas right now they have the corner location with the store facing the street.

It presents problems with parking ingress and egress. There's an alley next to it. There are a number of reasons why that simply is not a good idea to try it for relocation of this business at that point.

There may be other solutions that are available, and it may be with the opportunity to talk about this, and I've only been involved for less than a week, that we may be able to make process. Quite frankly, process has been made, albeit no solutions reached, just in the short time that I have been involved and Mr. Payne and I have talked.

So that's where we are, historically, as far as what the family and Project Renew have tried to accomplish with one another.

I think it's fair to say, from everything I've read and everything I've heard this morning, that we wouldn't be here

today at all and the city wouldn't be talking about acquiring anything from Loray Enterprises were it not for the project contemplated by Project Renew. If that weren't in existence, there would be no request for a detention pond. The engineer, the first engineer, I think he was an engineer, who testified to you today, specifically stated to you that that detention pond and that stormwater drainage is needed specifically due to this project. But for this project, it wouldn't be needed. It might be desired, but we certainly wouldn't be talking about condemning a business.

So what we have, ultimately, is a situation where what amounts to a private entity -- these are private corporations, not for profit, but nevertheless private corporations -- are asking you to become involved to condemn for them and their private use, property that at this point they have not been able to acquire for themselves in order to produce drainage for their improvement.

If we were talking about Walmart coming into the community and they were here making that kind of request suggesting that you condemn an adjacent business so that they could put up a store, I would seriously doubt that you would give them much of a hearing. You would take the attitude that's typically taken, which is to say, when a developer comes in and wants to develop property, within the four corners of the property, you except them to meet with all the criteria that anyone else has to meet, including drainage, and they would be responsible for doing that.

And to the extent that somebody owned some property that they wanted to use as a part of their development, you would expect them to deal privately and acquire that property from that third party. That's what private enterprise and property rights are all about. You certainly would not expect Walmart to come in and ask you to do their bidding to acquire property for their benefit from a private land owner by using the very powerful public tool of imminent

domain.

Imminent domain is typically thought of, understood, and used as a process for public projects. That's one of the criteria: It's supposed to be used for a public project.

While this project may have a great deal of positives to recommend it -- my clients like the idea. I mean, they can see the positives. The fact that it has positives to recommend it, in no way diminishes the fact that what's being asked here is for you to lend to a private organization your power of imminent domain for a private project to acquire private land for that private project. And no matter how much we can recommend, the end goal, nothing can change that, and that is not what imminent domain is supposed to be used for.

Imminent domain is supposed to be used for public purposes for public projects where everybody benefits, everybody in the public benefits from a public use or a public facility. These are going to be,

while wonderful things for the community, nevertheless, private. And even though they may not have a profit motive like Walmart, the thrust is the same, that they are private and you're being requested to jump in here. It's a place, I say to you in all sincerity, you should not jump.

Certainly, if the shoe were on the other foot and we had a church property and they had some vacant land next to the church and there was some commercial project, a mall or whatever that was going to bring jobs to the community and the mall needed some of the church land for drainage, you would expect those people to get together privately and work out a resolution. You would not expect that developer to come in and ask you to condemn the church property. It sounds like a terrible idea when you characterize it that way, but it's no less forceful the way it's currently being suggested.

My understanding is that this board and the city are not to bear any cost with respect to a condemnation and acquisition of

this property if it were to go forward. That would all be paid for by Project Renew. It's also my understanding that, if you did -- if you went forward and did that, that afterwards there would be a deed conveyed back from the City to Project Renew with some stipulations that Project Renew would be responsible for the maintenance of the system, the drainage system that's put in on the Loray property. Nothing could be more clear than the fact that the power of imminent domain is being requested here as a pass-through. You're being requested to be an agent for private groups and private corporations to bring to them a parcel of land.

I ask you to think about this -- not necessarily just in the legal framework, although that's pretty important. I think this raises a really serious philosophical question of what just our governmental agencies ought to be and what they ought to do. It's almost like getting to the area of free speech and picking and choosing who is going to be able to talk and what they are

able to talk about.

MR. MESZAROS: Sir, I believe we have your point here. I would just like to have you be moving on --

MR. WELSH: Okay.

MR. MESZAROS: -- and bringing this to some conclusion.

MR. WELSH: My conclusion for you is this -- thank you, Mr. Chairman. Once again, obviously, I'm asking you not to do this. Let these people work this out. Even if you were of a mind to consider doing it, it's far too early. It's premature. These people have not had the opportunity or the guidance and the direction that they need in order to try to get their problem resolved privately, the way it ought to be.

Having you be asked to get together here complicates the problem and complicates the solution rather than making it easier. It gives the impression that one party is not going to be on a level playing floor. And any time the parties think that they're not on a level playing floor and one is going to have an advantage, that impedes the

resolution that ought to be obtained. So we are asking that you not take this action, and thank you very much for your time.

MR. MESZAROS: Just a couple --

MR. WELSH: Yes.

MS. PORTER-ROSS: Okay. But what I'm hearing from you, you are willing to continue to talk and work this out, is that correct?

MR. WELSH: Absolutely.

MS. PORTER-ROSS: Okay.

MR. WELSH: Mr. Payne and I were doing that last week. And as he correctly mentioned, I had a family emergency that prevented us from talking this week. But before this meeting even began, I explained that to him and told him that we wanted to continue to address these matters with him and his group.

MR. MESZAROS: My point exactly. I think, perhaps, you know, the lemonade here a little bit is the imminent domain process has spurred some thought, brought in some new thinking, new counsel. Those are opportunities, opportunities to continue the

dialogue, opportunities to reach a mutually agreeable solution.

I think both the Board of Stormwater, our clients, our partners would prefer not to have some judge either rule on if this is an appropriate use of imminent domain, nor rule and mandate certain appraisals of both your client's property and the residential property. So we are hopeful that the process could be worked out without a judge ruling on appraisals or the use of imminent domain.

So I encourage you to continue your dialogue and hope that we can see this work out.

MR. WELSH: That, likewise, is our goal. Thank you very much.

MR. MESZAROS: Other property owners, speakers, please?

MR. SERBAN: My name is Daniel E. Serban, and I am the attorney for Berry Slayton, owner of the property of 2132 Weiser Park.

* * *

MR. DANIEL E. SERBAN,
called as a Witness herein,
having been first duly sworn,
was examined and testified as follows:

* * *

BY MR. SERBAN: As I mentioned, my name is Daniel E. Serban. I'm an attorney here in Fort Wayne, and I represent Berry Slayton.

I would ask Mr. Slayton to stand up, the property owner of 2132 Weiser Park.

Our standpoint -- and I promise I will be brief here. This hearing has gone on for quite some time.

Our standpoint is much different. We in no way oppose this property. We have not filed a remonstrance or do we intend to. Mr. Slayton wants this project to proceed. The only question that we have, the only issue we have right now is the amount of compensation that he would receive for his property.

As Mr. Payne stated, we are still in negotiations. We are going out to Mr. Slayton's house afterwards to review the

inside, because Project Renew, as of right now, has not seen the inside of the property. There's some things in there, in part, in terms of the size of the property that they believe to be an attic that has actually been remodeled as living space, so there's more on the inside than they thought.

I also, I'll mention, he mentioned that the idea of relocation of the property was something that Mr. Slayton had decided not to pursue. Well, we are opening the door again that this is a possibility to move the house across the street. So we are looking to explore any and all possibilities as far as trying to resolve this matter.

So rather than take up any more of your time, just as a report, we are continuing the negotiations. We are not against the -- we don't wish to raise any of the issues that have been previously raised with regard to condemnation. We just need to continue through the process and see what we can do about negotiating an appropriate compensation of Mr. Slayton for his -- for

the taking of his property. Thank you.

MR. MESZAROS: I appreciate your brevity. Also, I encourage you, too, to continue the dialogue you described, again emphasizing that we would much prefer that a judge not order an appraisal and have this resolved that way, but if there's a way that we could work this out, mutually agreeable between you and the housing -- the Project Renew and others, that would be our preference, also.

MR. SERBAN: I'm sure, as we all understand, if we go down the court path, obviously, it becomes much more expensive and we get attorney time, appraiser time, all that sort of thing. I think it would be in everybody's best interest if we can resolve it before we go down that road.

MR. MESZAROS: Other questions?

MS. PORTER-ROSS: No, I'm fine.

MR. MESZAROS: Any other one -- anyone else wishing to speak for, against, or pass on comments related to this proceeding?

Seeing no one else, I think we'll conclude the testimony phase of this.

And, Denise, maybe if we could just kind of sum it up, deliberate here a bit. What's our next step.

MS. PORTER-ROSS: That's what I was thinking. And just basically the information that we've received here, it's my understanding that if we can take some time just to digest this and set a time to get back, which will then give the parties a chance to also continue their negotiations. We can readdress this issue.

MR. MESZAROS: And I agree whole-heartedly. I think both for us to kind of digest this and also, it sounds like there's some productive dialogue going on here.

I think, Jim, you had recommended at least two weeks?

MR. HOWARD: Yes, two weeks.

MR. MESZAROS: So why don't we maybe kind of table this issue for two weeks, if you would make that motion.

MS. PORTER-ROSS: I will move to table.

MR. MESZAROS: I'll second that motion. All in favor of tabling for two weeks?

MS. PORTER-ROSS: Aye.

MR. MESZAROS: Aye.

That concludes our hearing for this. The board will convene in two weeks to, again, revisit this issue. I appreciate everyone coming out today to give testimony and review the proceedings, and we hope this works out to everyone's best interest.

MS. PORTER-ROSS: A point I would like to make while we are on the record, there is a third board member that will be here at that next meeting.

MR. MESZAROS: Yeah.

We will conclude our stormwater hearing.

(Whereupon, the administrative hearing was concluded at 10:22 a.m.)

* * * *

CERTIFICATE

I, Angela A. White, RPR, a Notary Public in and for the County of Allen, State of Ohio, (acting in the County of Allen, State of Indiana), hereby certify there appeared before me on FEBRUARY 19TH, 2003, all those who were duly sworn to testify the truth, the whole truth and nothing but the truth to questions propounded at the taking of the foregoing deposition in a cause now pending and undetermined in said court.

I further certify that I then and there reported in machine shorthand the proceedings at the said time and place; that the proceedings were then taken transcribed from my original shorthand notes; and that the foregoing transcript is a true and correct record thereof.

IN WITNESS WHEREOF, I have hereunto set my hand this 23rd day of FEBRUARY, A.D., 2003.

Angela A. White, RPR
Registered Professional Reporter
Notary Public, State of Ohio
Residence: Allen County, Ohio

MARCH 5, 2003

BOARD OF PUBLIC WORKS
ROOM 250—OMNI ROOM
MEETING HELD AT 9:00 A.M.

GREG MESZAROS, CHAIRMAN
JOHN SUAREZ, MEMBER
DENISE PORTER-ROSS, MEMBER

CAROLYN S. NEWPORT, CLERK

Present: All Members & Clerk; Jim Howard, Associate City Attorney; David Ross, City Engineer; Mario Trevino, Transportation Engineering Services; Charles Bailey & Carl Wilson, Contract Compliance; Jack Suter, Development Services; Mark Gensic, Pat Callahan, Keith Hood, Bill Maxwell, and Matthew Wirtz, Planning & Design.

1. **RECEIVE BIDS:** Resolution #625-01 Rothman Road Relief Sewers;

Bidders	BASE BID
All Star Construction & Excavating	**1,231,416.00**
Fleming Excavating	**1,258,295.93**
Geiger Excavating	**1,075,273.00**
Engineers Estimate:	**$1,500,000.00**

Transportation Engineering Services to tabulate and report.

2. **AWARD:** Improvement Resolution #1530-2003, Waynedale Water Main Replacement to Miller Pipeline in the amount of $573,759.00 for the base bid and $7,197.50 for the alternate. Contract Compliance concurs with this award.
PRIOR APPROVAL REQUESTED;
Denise Porter-Ross moved approval of award for Improvement Resolution #1530-2003, Waynedale Water Main Replacement to Miller Pipeline in the amount of $573,759.00 for the base bid and $7,197.50 for the alternate. Motion carried. Notice of award to be sent. Engineering Support Services to tabulate and report.

3. Approval of Board of Public Works Minutes of February 26, 2003 and Public Hearing Minutes of February 26, 2003 for Res. #6875-02, Victoria Drive: Inwood Drive to Eastern Terminus and Res. 6867-02, Courtwood Drive and Kirkfield Drive;
John Suarez moved approval of Board of Public Works Minutes of February 26, 2003 and Public Hearing Minutes of February 26, 2003 for Res. #6875-02, Victoria Drive: Inwood Drive to Eastern Terminus and Res. 6867-02, Courtwood Drive and Kirkfield Drive. Motion carried. Minutes approved.

4. Approval of Agreement between the City of Fort Wayne and GAI Consultants, Inc. to provide professional services for the Construction Project Management of improvements to Huguenard Road: Washington Center Road to Ludwig Road. Proposed improvements include: new traffic control signal at Washington Center Rd. intersection; pavement widening to provide (3) lines, patching, resurfacing, marking, and stormwater drainage rehabilitation. Compensation for services performed shall be a fee not-to-exceed $63,500.00. City Engineering recommends approval;

David Ross, City Engineer, stated that bids would be received for this project February 12, 2003 with the anticipated completion at the end of September. Mr. Ross said that the fee of GAI Consultants, Inc. is 7.3% of the estimated construction estimate.

Denise Porter-Ross moved approval of Agreement between the City of Fort Wayne and GAI Consultants, Inc. to provide professional services for the Construction Project Management of improvements to Huguenard Road: Washington Center Road to Ludwig Road. . Motion carried. Copy to be placed on file in vault. Notice to proceed to be sent.

5. Approval of Agreement between the City of Fort Wayne and Bonar Group to provide professional services for the Construction Project Management of improvements to Paulding Rd.: Lafayette to Anthony Blvd. Proposed improvements include: water main relocation/upgrades, cement concrete pavement crack/seat; curbs, sidewalk, driveway approach reconstruction, curb ramp construction, bituminous overlay and marking. Compensation for services performed shall be a fee not-to-exceed $99,677.25. City Engineering recommends approval;

David Ross, City Engineer, apprised the Board of the following: this project was awarded recently to Wayne Asphalt & Construction Co., Inc. Crossroad Engineers performed the design for the project, but the City wanted a local company for the management services.

John Suarez moved approval of Agreement between the City of Fort Wayne and Bonar Group to provide professional services for the Construction Project Management of improvements to Paulding Rd.: Lafayette to Anthony Blvd. Motion carried. Copy to be placed on file in vault. Notice to proceed to be sent.

6. **IMPROVEMENT RESOLUTION #6930-03,** North Highlands Improvements;

Mario Trevino, Transportation Engineering Services, said that this is for the improvement of Putnam Street from Poinsette to Jessie – reconstruction of sidewalks and drive approaches, Melrose Avenue from Huffman to Edith – street resurfacing and the reconstruction of curbs and drive approaches, IDA Avenue from Tyler to Huffman – Reconstruction of sidewalks, curbs and drive approaches.

Denise Porter-Ross moved approval of Improvement Resolution #6930-03. Motion carried. Copy to be herein incorporated. Bids to be received on 3/26/03.

7. **IMPROVEMENT RESOLUTION #6895-03,** Public Sidewalk Curb Ramp Intersections 2002- Pkg. 5;

Mario Trevino, Transportation Engineering Services, said that this is for the improvement of Calhoun Street from Tillman to Rudisill; Hoagland Avenue from Creighton to Melita; Broadway at Illsley.
Denise Porter-Ross moved approval of Improvement Resolution #6895-03. Motion carried. Copy to be herein incorporated. Bids to be received on 3/26/03.

8. **IMPROVEMENT RESOLUTION #6932-03,** Gilbert Drive: Deforest Avenue to Kimberley Road:

Mario Trevino, Transportation Engineering Services, remarked that this improvement is for reconstruction of the existing roadway with new asphalt pavement, new concrete curbing and drive approaches as needed, and by rehabilitating the existing storm seer structures, and seed, mulch, and restoration.
Denise Porter-Ross moved approval of Improvement Resolution #6932-03. Motion carried. Copy to be herein incorporated. Hearing to be scheduled.

9. Agreement between the City of Fort Wayne and TruGreen ChemLawn to provide professional services for all provisions of Chemical Vegetation Control for the Flood Control Project. Compensation for the services performed shall be $12,960.00 for the year. Flood Control recommends approval;
John Suarez moved approval of agreement between the City of Fort Wayne and TruGreen ChemLawn to provide professional services for all provisions of Chemical Vegetation Control for the Flood Control Project. Motion carried. Notice to proceed to be sent.

10. Agreement between the City of Fort Wayne and Accent Lawn Manicure to provide professional services for all provisions of Mechanical Vegetation Control for the Flood Control Project. Compensation for the services performed shall be $51,318.00 for the year. Flood Control recommends approval;
John Suarez moved approval of agreement between the City of Fort Wayne and Accent Lawn Manicure to provide professional services for all provisions of Mechanical Vegetation Control for the Flood Control Project. Motion carried. Notice to proceed to be sent.

11. Approval of Construction Contract #6907 between Wayne Asphalt & Construction Co., Inc. and the City of Fort Wayne for Paulding Road: Lafayette Street to Anthony Blvd. in the amount of $887,161.78;

John Suarez moved approval of Construction Contract #6907 between Wayne Asphalt & Construction Co., Inc. and the City of Fort Wayne for Paulding Road: Lafayette Street to Anthony Blvd. in the amount of $887,161.78. Motion carried. Contract to be sent to City Council.

12. Approval of Construction Contract #6910 between Wayne Asphalt & Construction Co., Inc. and the City of Fort Wayne for Resurfacing Package 2-2003 in the amount of $1,082,749.70;
John Suarez moved approval of Construction Contract #6910 between Wayne Asphalt & Construction Co., Inc. and the City of Fort Wayne for Resurfacing Package 2-2003 in the amount of $1,082,749.70. Motion carried. Contract to be sent to City Council.

13. Approval of Construction Contract #6914-03 between Wayne Asphalt & Construction Co., Inc. and the City of Fort Wayne for Harrison Street: Rudisill Blvd. to Killea Street in the amount of $161,762.00;
John Suarez moved approval of Construction Contract #6914-03 between Wayne Asphalt & Construction Co., Inc. and the City of Fort Wayne for Harrison Street: Rudisill Blvd. to Killea Street in the amount of $161,762.00. Motion carried. Contract to be sent to City Council.

14. Approval of Construction Contract #6915-03 between Bunn, Inc. and the City of Fort Wayne for Resurfacing Package 1-2003 in the amount of $922,498.65;
Denise Porter-Ross moved approval of Construction Contract #6915-03 between Bunn, Inc. and the City of Fort Wayne for Resurfacing Package 1-2003 in the amount of $922,498.65. Motion carried. Contract to be sent to City Council.

15. Approval of Professional Services Agreement between the City of Fort Wayne and River's Bend Engineering, Inc. for the design of Miscellaneous Network Connections – 2003. The not-to-exceed amount for this contract is $34,300.00. Planning & Design Services recommend approval;

Matthew Wirtz, Planning & Design, said that this Agreement is for water main improvements consisting of small 6-8" water main network connections in the following areas:

Bueter: Pettit to Gretna	Approx. 970 lf
Elnora: Wash. Ctr. To North	Approx. 750 lf
Holton: Southdale to Decatur	Approx. 450 lf
Parkwood: Stellhorn to Kenfield	Approx. 950 lf

Denise Porter-Ross moved approval of Professional Services Agreement between the City of Fort Wayne and River's Bend Engineering, Inc. for the design of Miscellaneous Network Connections – 2003. Motion carried. Copy to be placed on file in vault. Notice to proceed to be sent.

16. Approval of Amendment Number 1 to the Professional Services Agreement between the City of Fort Wayne and Malcolm Pirnie, Inc., for the preliminary engineering of Subbasin S02-008. The cost of the work is a not-to-exceed sum of $26,000.00. Planning & Design Service recommend approval;

Pat Callahan, Planning & Design, stated that this project is part of the Combined Sewer Capacity Improvement Program. It will identify specific projects and design criteria that will reduce basement backups and sewer overflows in this sewer subbasin.
John Suarez move approval of Amendment Number 1 to the Professional Services Agreement between the City of Fort Wayne and Malcolm Pirnie, Inc., for the preliminary engineering of Subbasin S02-008. Motion carried. Copy to be placed on file in vault. Notice to proceed to be sent.

17. Acknowledgement of Proposal received from MSKTD & Associates, Inc. regarding excavating for the Allen County Library and the Grand Wayne Center Expansion;

The Board reviewed a letter from MSKTD & Associates, Inc. regarding the removal of earth for the public library expansion. As a result of the earth removal, an open excavation will exist until spring 2004. The letter set forth how the open excavation will be maintained during the interim.
Denise Porter-Ross moved to acknowledge and approve the Proposal received from MSKTD & Associates, Inc. regarding excavating for the Allen County Library and the Grand Wayne Center Expansion. Motion carried.

18. Approval of Change Order #1 received from Service Electric of Allen County, Inc. for Improvement Resolution #659-02, WPCP Aeration Control Panel Phase-Out increasing the contract amount by $24,584.46. The original contract price was $524,437.00. The new contract price including this change order is $549,021.46;

Ron Sheppard, stated that this change order is due to the following:

- Removal of 3 Control Cabinets
- Additional Panel Const. Controls & installation
- Wall repair adjacent to work zone
- Install Sonalert Alarm in Control Room
- Replace 6 Junction Boxes on air valves on aeration basins

Denise Porter-Ross moved approval of Change Order #1 received from Service Electric of Allen County, Inc. for Improvement Resolution #659-02, WPCP Aeration Control Panel Phase-Out increasing the contract amount by $24,584.46. Motion carried. Contract price to be increased.

19. Approval of Construction Contract #1512-2003 between the City of Fort Wayne and Hagerman, Inc. for Camp Scott Pumping Facilities in the amount of $3,547,000.00 and Escrow Agreement for same. The Escrow Agent is Salin Bank & Trust Co. **PRIOR APPROVAL REQUESTED;**

Denise Porter-Ross moved approval of Construction Contract #1512-2003 between the City of Fort Wayne and Hagerman, Inc. for Camp Scott Pumping Facilities in the amount of $3,547,000.00 and Escrow Agreement for same. Motion carried. Contract to be sent to City Council.

20. Approval of Authorization of Full Escrow received from Insituform Technologies USA, Inc. regarding Improvement Resolution #649-01, South Area Cured-in-Place Pipe. The escrow agent is Harris Bank Argo;
John Suarez moved approval of Authorization of Full Escrow received from Insituform Technologies USA, Inc. regarding Improvement Resolution #649-01, South Area Cured-in-Place Pipe. Motion carried. Authorization of Full Escrow to be sent to the Escrow Agent.

21. Approval of Authorization for Partial Release of Escrow received from Geiger Excavating regarding Improvement Resolution #592-99, Southgate Phase II Storm Sewer in the amount of $103,671.94. Tower Bank is the Escrow Agent;
Denise Porter-Ross moved approval of Authorization for Partial Release of Escrow received from Geiger Excavating regarding Improvement Resolution #592-99, Southgate Phase II Storm Sewer in the amount of $103,671.94. Motion carried. Authorization for Partial Release of Escrow to be sent to the Escrow Agent.

22. Approval of request received from Alan Weaver, owner of 4801 Hartman Road to sign a waiver for the Barrett Law process in connection with Improvement Resolution #6854-02, Southwood Park project;
John Suarez moved approval of request received from Alan Weaver, owner of 4801 Hartman Road to sign a waiver for the Barrett Law process in connection with Improvement Resolution #6854-02, Southwood Park project. Motion carried. Request approved.

23. Approval of City Utilities write-off of delinquent revenue accounts for the month of December 2002 in the amount of $23,851.76;
Denise Porter-Ross moved approval of City Utilities write-off of delinquent revenue accounts for the month of December 2002 in the amount of $23,851.76. Motion carried. Write-offs to be sent to a collection agency.

24. Approval of General Accounting Claims in the amount of $4,223,768.51;
Denise Porter-Ross moved approval of General Accounting Claims in the amount of $4,223,768.51. Motion carried. Claims to be sent to the Department of Finance.

25. Old Business:

None.

26. New Business:

None.

Meeting adjourned at 9:40 a.m.

Greg Meszaros, Chairman

John Suarez, Member

Denise Porter-Ross, Member

ATTEST: _____
Carolyn S. Newport, Clerk

MARCH 5, 2003

BOARD OF STORMWATER MANAGEMENT
ROOM 250—OMNI ROOM
MEETING HELD AT 9:40 A.M.

GREG MESZAROS, CHAIRMAN
JOHN SUAREZ, MEMBER
DENISE PORTER-ROSS, MEMBER

CAROLYN S. NEWPORT, CLERK

Present: All Members & Clerk; Jim Howard, Associate City Attorney; David Ross, City Engineer; Mario Trevino, Transportation Engineering Services; Charles Bailey & Carl Wilson, Contract Compliance; Jack Suter, Development Services; Mark Gensic, Pat Callahan, Keith Hood, Bill Maxwell, and Matthew Wirtz, Planning & Design.

1. Approval of Administrative Hearing Minutes for Condemnation of Real Property for Use by the City of Fort Wayne, Indiana for Construction of the Hanna-Creighton Street Storm Sewer Improvement Project and Provision of Storm Sewer Detention Basin of February 19, 2003 and Board of Stormwater Management Minutes of February 26, 2003;

   Denise Porter-Ross moved approval of Administrative Hearing Minutes for Condemnation of Real Property for Use by the City of Fort Wayne, Indiana for Construction of the Hanna-Creighton Street Storm Sewer Improvement Project and Provision of Storm Sewer Detention Basin of February 19, 2003 and Board of Stormwater Management Minutes of February 26, 2003. Greg Meszaros seconded. Motion carried. Administration Hearing Minutes of February 19, 2003 and Stormwater Management Minutes of February 26th approved.

2. **RESOLUTION** of the Board of Stormwater Management of the City of Fort Wayne, Indiana Continuing It's Decision on Resolution #90-30-2 of the Stormwater Board Appropriating and Condemning Real Property;

   Jim Howard, Associate City Attorney, apprised the Board of the following: the above-mentioned resolution is a motion to continue it's decision to confirm, modify, or reject the Resolution for condemning 2 Properties in connection with Construction of the Hanna-Creighton Street Storm Sewer Improvement and Provision of Storm Sewer Detention Basin.

   On February 19, 2003 the Board of Stormwater Management had a hearing and heard remonstration concerning administrative condemnation and after the Board received those remonstrations the Board took the matter under advisement and continued the matter. The Board received a record of the proceedings which consisted of 64 pages.

   Mr. Howard said that by the Board taking time to review this matter, it is the correct move.

   Mr. Howard stated regarding the use of condemnation, the Indiana State Statutes provides that the Board, before adopting the Resolution, may obtain from the owner of the property an option for the purchase and may enter into a contract for the purchase after an appraisal by two (2) qualified land appraisers. An option or contract is subject to final action of the Board confirming, modifying, or rejecting the Resolution. This was pointed out by the counsel for Loray's that appraisals had not been ordered by the Board and an offer had not come forth.

   Jim Howard recommended that the matter be continued for sixty (60) days and for the Board of Stormwater Management employ two (2) qualified real estate appraisers and recommended that they also are qualified for business evaluation appraisal. Mr. Howard suggested that they work with the property owners for options to resolve this matter without the Board using

condemnation. Mr. Howard stated that by the Board doing the certified appraisals, the Board will be fulfilling it's obligation by the Indiana State Statute.

The May 7th, 2003 meeting would be 60 days to confirm modify or reject Resolution #90-30-2.

Greg Meszaros inquired if the property owners refuse to cooperate, what would happen?

Jim Howard said that if the Board has to come back and confirm the Resolution and get appraisals, that could compel those appraisals through ancillary proceedings through Superior Court.

Denise Porter-Ross stated that she feels that what Jim Howard suggested is the best option because while the appraisals are being performed, the parties could still continue to talk.

Jim Howard stated that the property owners should be notified of the current Resolution by certified mail.

Denise Porter inquired if only the two members at the administrative hearing would be able to vote on this resolution and Jim Howard replied "yes." ***

Denise Porter-Ross moved to approve the Resolution of the Stormwater Management Board of the City of Fort Wayne, Indiana Continuing Its Decision on Resolution Number 90-30-2 of the Stormwater Board Appropriating and Condemning Real Property. Greg Meszaros seconded the motion. Copy to be herein incorporated.

3. Old Business:

   None.

4. New Business:

   None.

Meeting adjourned at 9:55 a.m.

Greg Meszaros, Chairman

John Suarez, Member

Denise Porter-Ross, Member

Attest: Carolyn S. Seesgott, Clerk

***** On 3/12/03 this was amended to ready that all three Board Members be able to vote on motions regarding Condemnation of Hanna-Creighton Storm Sewer since full proceedings were furnished by a court reporter to all three Board Members.**

March 5, 2003

Board of Public Works
Room 250 - Omni Room
Hearing held at 10:00 a.m.

Greg Meszaros, Chairman
John Suarez, Member
Denise Porter-Ross, Member

ATTEST: Carolyn S. Newport, Clerk

PRESENT: All Members & Clerk, Jeff Grogg, Transportation Engineering Services, Marj Enders, Barrett Law Accountant.

Preliminary Hearing to confirm Improvement Resolution #6919-03, Pasadena Drive: Beaver Avenue to Tacoma Avenue.

Jeff Grogg, Transportation Engineering Services, explained the scope of the project.

Greg Meszaros, asked for comments from the floor.

Tina Sutphin, Property Owner at 1107 Pasadena, inquired about the replacement of the size of the driveway and also about her sidewalk. Jeff Grogg explained that the driveway would be the same size as the drive approach.

Chris Brough, Property Owner at 1101 Pasadena, inquired about his obligation regarding the sale of his house and Marj Enders explained said that there are disclosure laws and to discuss this with his realtor.

Marj Enders, Barrett Law Accountant, explained the Barrett Law process.
John Suarez moved to confirm Improvement Resolution #6919-03. Motion carried. Remonstrance date is March 17, 2003.

Meeting adjourned at 10:10 a.m.

Greg Meszaros, Member

John Suarez, Member

Denise Porter-Ross, Member

ATTEST: Carolyn S. Newport
Carolyn S. Newport, Clerk

March 5, 2003

Board of Public Works
Room 250 - Omni Room
Hearing held at 10:15 a.m.

Greg Meszaros, Chairman
John Suarez, Member
Denise Porter-Ross, Member

ATTEST: Carolyn S. Newport, Clerk

PRESENT: All Members & Clerk, Marj Enders, Barrett Law Accountant, Gary Ainslie, Transportation Engineering Services.

Final Hearing to confirm Assessment Roll for Improvement Resolution #6850-02, Wohoma Drive: Maplewood to Hopewell.

No property owners were in attendance.
Denise Porter-Ross moved to confirm Assessment Roll for Improvement Resolution #6850-02. Motion carried. Assessments to be sent.

Meeting adjourned at 10:20 a.m.

Greg Mesaros, Chairman

John Suarez, Member

Denise Porter-Ross, Member

ATTEST: Carolyn S. Newport
Carolyn S. Newport, Clerk

MARCH 12, 2003

BOARD OF PUBLIC WORKS
ROOM 250—OMNI ROOM
MEETING HELD AT 9:00 A.M.

GREG MESZAROS, CHAIRMAN
JOHN SUAREZ, MEMBER
DENISE PORTER-ROSS, MEMBER

CAROLYN S. NEWPORT, CLERK

PRESENT: All Members & Clerk; James Howard, Associate City Attorney; Mario Trevino, Transportation Engineering Services; Ron Sheppard, Engineering Support Services; Mark Gensic, Pat Callahan, Keith Hood, & Doug Fasick, Planning & Design; Valerie Breen, Controller's Office; Ron Sheppard, Engineering Support Services; Mary Jane Slaton & Jack Suter, Development Services; Marj Enders, Barrett Law; Charles Bailey & Carl Wilson, Contract Compliance.

1. **RECEIVE BIDS:** Resolution #666-02, Sheridan Road Sanitary Sewer Extension;

Bidders	**BASE BID**
All Star Excavating	**$56,487.00**
Dafforn Excavating	**$55,217.40**
Earth Construction	**$49,890.00**
Earth Solutions	**$53,785.00**
Gleason Construction	**$84,350.00**
Infra Source Underground Construction	**$61,610.00**
Underground Contractors	**$65,880.68**
West Michigan Cable Contractors, Inc.	**$68,779.00**
Engineers Estimate:	**$51,480.00**

Engineering Services to tabulate and report.

2. **RECEIVE BIDS:** Resolution #1539-02, Electrical Modifications for Portable Emergency Generator at Water Booster Stations.

Bidders	**BASE BID**	**Alternate (for new size 5 fire pump starter)**
Henry Electric	**$137,345.00**	**Deduct $1,500.00**
Engineers Estimate	**$92,349.60**	**$11,500.00**

Engineering Support Services to tabulate and report.

3. RECEIVE BIDS: Resolution #6916-03, Hoevelwood Civic Neighborhood;

Bidders	BASE BID
Brooks Construction Co., Inc.	**$56,200.00**
Garcia Concrete	**$36,548.00**
Hipskind Concrete Corp.	**$50,405.00**
Key Construction	**$46,230.00**
Primco, Inc.	**$51,026.47**
Newell Construction, Inc.	**$39,341.00**
Widner Paving, Inc.	**$46,908.00**
Engineers Estimate:	**$47,625.00**

Transportation Engineering Services to tabulate and report.

4. **RECEIVE BIDS**: Resolution #6922-03, Madison Street: Lafayette Blvd to Clay Street. Madison Street: Francis Street to Harmer Street;

Bidders	BASE BID
Brooks Construction Co., Inc.	**$55,786.20**
Garcia Concrete Construction	**$53,234.00**
Hipskind Concrete Corp.	**$40,949.50**
Key Concrete, Inc.	**$43,394.00**
Primco, Inc.	**$56,036.99**
Newell Construction, Inc.	**$48,721.00**
Widner Paving, Inc.	**$56,265.00**
Engineers Estimate:	**$51,613.00**

Transportation Engineering Services to tabulate and report.

5. **RECEIVE BIDS**: Resolution #6925-03, Monroe Street: Lewis Street to Jefferson Blvd.

Bidders	BASE BID
Brooks Construction Co., Inc.	**$94,511.01**
Garcia Concrete	**$86,029.75**
Hipskind Concrete Corp.	**$73,032.90**

Key Concrete, Inc.	**$73,507.00**
Primco, Inc.	**$89,515.92**

Transportation Engineering Services to tabulate and report.

6. **RECEIVE BIDS**: Resolution #6931-03, East Central Neighborhood Improvements;

Bidders	BASE BID
Brooks Construction Co., Inc.	**$63,348.40**
Garcia	**$52,627.50**
Hipskind Concrete Corp.	**$58,875.00**
Key Construction, Inc.	**$48,795.00**
Newell Construction, Inc.	**$42,820.00**
Primco, Inc.	**$63,414.21**
Widner Paving, Inc.	**$54,430.00**
Engineers Estimate:	**$53,630.00**

Transportation Engineering Service to tabulate and report.

7. Approval of Board of Public Works Minutes of March 5, 2003 and Final Assessment Hearing Minutes of March 5, 2003 for Improvement Resolution #6850-02, Wohoma Drive: Maplewood to Hopewell and Preliminary Hearing Minutes of March 5, 2003 for Improvement Resolution #6919-03, Pasadena Drive: Beaver to Tacoma;

Denise Porter-Ross moved approval of Board of Public Works Minutes of March 5, 2003 and Final Assessment Hearing Minutes of March 5, 2003 for Improvement Resolution #6850-02, Wohoma Drive: Maplewood to Hopewell and Preliminary Hearing Minutes of March 5, 2003 for Improvement Resolution #6919-03, Pasadena Drive: Beaver to Tacoma. Motion carried. Minutes approved.

8. **RESOLUTION** of the Board of Public Works of the City of Fort Wayne, Indiana regarding Vehicle and Equipment Lease Financing;

Valerie Breen, Deputy Controller, stated that this Resolution is for an annual lease for new police cars and equipment. Bids would be advertised and would be received on April 9, 2003.

John Suarez moved approval of RESOLUTION of the Board of Public Works of the City of Fort Wayne, Indiana regarding Vehicle and Equipment Lease Financing. Motion carried. Copy to be herein incorporated.

9. Approval of Agreement between the City of Fort Wayne Board of Public Works and Oakdale Neighborhood Association allocating $4,138.00 from Local Street Funds for repairs to the Oakdale Neighborhood Pillars;

Denise Porter-Ross moved to table Agreement for further review.

10. Approval of Addendum to Contingencies of the Purchase Agreement between the City of Fort Wayne and the Housing Authority of Fort Wayne, Indiana;

Jim Howard, Associate City Attorney, stated that this amendment states that the Buyer shall purchase title insurance and shall provide proof of same to the Board of Public Works prior to conveyance of property by warranty deed.

John Suarez moved approval of Addendum to Contingencies of the Purchase Agreement between the City of Fort Wayne and the Housing Authority of Fort Wayne, Indiana. Motion carried. Copy to be placed on file in vault.

11. **IMPROVEMENT RESOLUTION #6908-03,** Miscellaneous Construction Package 4-A-03;

Mario Trevino, Transportation Engineering Services, said that this Resolution is for reconstruction of curbs, sidewalks, drive approaches, ADA curb ramps, concrete pavement, mulch and seeding restoration in the 4th Council District. The cost for curbs, sidewalks, and drive approaches shall be assessed 60% on the real estate abutting and 40% on the City and ADA ramps and concrete pavement shall be assessed 100% on the City.

Denise Porter-Ross moved approval of Improvement Resolution #6908-03. Motion carried. Copy to be herein incorporated. Hearing to be scheduled.

12. **IMPROVEMENT RESOLUTION #6911-03 AMENDED,** Inwood Drive, Phase I – Inwood Drive: State Blvd. to Vance Ave.: Inwood Court: Inwood Dr. to terminus: Lynwood Court: Inwood Dr. to Terminus;

Mario Trevino, Transportation Engineering Services, stated that this Resolution combines three different Resolutions into one project as follows: by replacing curb ramps (Inwood Drive only), concrete curb, drive approaches, water main & services, installing subsurface drainage improvements, new storm sewer pipes and structures, asphalt resurfacing and restoration. Mr. Trevino said that the curbs, drive approaches and restoration shall be assessed 60% on the real estate and 40% upon the City and the cost for water main, subsurface drainage, storm sewer pipes and structures shall be assessed 100% on City Utilities. ADA curb ramps, asphalt resurfacing shall be assessed 100% on said City.

Denise Porter-Ross moved approval of IMPROVEMENT RESOLUTION #6911-03 AMENDED, Inwood Drive, Phase I – Inwood Drive: State Blvd. to Vance Ave.: Inwood Court: Inwood Dr. to terminus: Lynwood Court: Inwood Dr. to Terminus. Motion carried. Copy to be herein incorporated. Bids to be received on April 2, 2003.

13. Approval of recommendation received from Transportation Engineering Services to accept the work performed by Newell Construction Co., Inc. for Improvement Resolution #6838-02, Azalea Drive as an integral part of the City's transportation system;

John Suarez moved to accept the work performed by Newell Construction Co., Inc. for Improvement Resolution #6838-02, Azalea Drive as an integral part of the City's transportation system. Motion carried. Acceptance letter to be sent.

14. **IMPROVEMENT RESOLUTION** #1566-2003, Effie Drive Sanitary Extension;

Pat Callahan, Planning & Design, said that this Resolution orders the construction of approximately 1,346 LF of 8-inch sanitary sewer with appurtenances to serve 11 properties along Effie Drive.

Denise Porter-Ross moved approval of Improvement Resolution #1566-2003. Motion carried. Copy to be herein incorporated. Hearing to be scheduled.

15. Approval of Line Extension Agreement between the City of Fort Wayne and American Electric Power. It covers the installation of a second power feed to the Camp Scott pump station. This contract is for a lump sum amount of $85,842.00 and will be paid for from WPC Utility revenues. Planning & Design Services recommend approval;

Pat Callahan, Planning & Design, said that also, AEP would provide a three-phase single 480vac source to the pump station located on the southwest end of the International Harvester Park north of Oxford St., and west of Meyer Road, Fort Wayne, IN.

John Suarez moved approval of Line Extension Agreement between the City of Fort Wayne and American Electric Power. Motion carried. Copy to be herein incorporated.

16. Approval Amendment #1 to Professional Services Agreement between the City of Fort Wayne and Bonar Group for Camp Scott Excess Water Outlet Contract. The Amendment is a not-to-exceed amount of $7,000.00 and will be paid from WPC Utility Revenues. Planning & Design Services recommend approval;

Pat Callahan, Planning & Design, stated that this Amendment is necessary because property owners changed their mind where they desired the sewer to be located.

Denise Porter-Ross moved approval Amendment #1 to Professional Services Agreement between the City of Fort Wayne and Bonar Group for Camp Scott Excess Water Outlet Contract. Motion carried. Copy to be placed on file in vault. Notice to proceed to be sent.

17. Approval of a Professional Services Agreement between the City of Fort Wayne and Paul I. Cripe, Inc. for engineering and design services for the Philley Avenue Sanitary Sewer Petition Project. The estimated cost is not-to-exceed $40,453.00. Development Services recommend approval;

Mary Jane Slaton, Development Services, explained that this project is located in the Southeast portion of Fort Wayne, was a voluntary annexation, and would eliminate 11 septic systems.

Denise Porter-Ross moved approval of a Professional Services Agreement between the City of Fort Wayne and Paul I. Cripe, Inc. for engineering and design services for the Philley Avenue Sanitary Sewer Petition Project. Motion carried. Copy to be placed on file in vault. Notice to proceed to be sent.

18. Approval of Professional Services Agreement between the City of Fort Wayne and Bonar Group for annual construction inspection services for private developer and utility capital projects. Engineering Support Services recommend approval;

John Suarez moved approval of Professional Services Agreement between the City of Fort Wayne and Bonar Group for annual construction inspection services for private developer and utility capital projects. Motion carried. Copy to be placed on file in vault. Notice to proceed to be sent.

19. Approval of Professional Services Agreement between the City of Fort Wayne and Construction Support Services for annual construction inspection services for private developer and utility capital projects. Engineering Support Services recommend approval;

John Suarez moved approval of Professional Services Agreement between the City of Fort Wayne and Construction Support Services for annual construction inspection services for private developer and utility capital projects. Motion carried. Copy to be placed on file in vault. Notice to proceed to be sent.

20. Approval of Professional Services Agreement between the City of Fort Wayne and DLZ for annual construction inspection services for private developer and utility capital projects. Engineering Support Services recommend approval;

John Suarez moved approval of Professional Services Agreement between the City of Fort Wayne and DLZ for annual construction inspection services for private developer and utility capital projects. Motion carried. Copy to be placed on file in vault. Notice to proceed to be sent.

21. Approval of Change Order #2 and FINAL received from Bowen Engineering Corporation for Improvement Resolution 00-W-01, Filter Backwash System increasing the contract price by $24,054.00. The original contract price is $603,800.00. The new contract price including this change order is $664,231.00;

Ron Sheppard, Engineering Support Service said that modifications to the construction sequence, design changes and additions, and delays caused by the owner, caused additional expenses to the contractor.

Denise Porter-Ross moved approval of Change Order #2 and FINAL received from Bowen Engineering Corporation for Improvement Resolution 00-W-01, Filter Backwash System

increasing the contract price by $24,054.00. Motion carried. Contract price to be increased.

22. Approval of recommendation received from Engineering Support Services to accept the work performed by Scheidleman Excavating on Water Contract #2002-W-21, Knolls of Ardmore Section III as an integral part of the City's water distribution system;

Denise Porter-Ross moved to accept the work performed by Scheidleman Excavating on Water Contract #2002-W-21. Motion carried. Acceptance letter to be sent.

23. Approval of Barrett Law Claims in the amount of $1,656.59.

John Suarez moved approval of Barrett Law Claims in the amount of $1,656.59. Motion carried. Claims to be sent to the Department of Finance.

24. Approval of General Accounting Claims in the amount of $4,208,404.89;

Denise Porter-Ross moved approval of General Accounting Claims in the amount of $4,208,404.89. Motion carried. Claims to be sent to the Department of Finance.

25. Old Business:

None.

26. New Business:

(I) Approval of Revised Agreement between the City of Fort Wayne Board of Public Works and the Downtown Improvement District allocating $25,000.00 from At-Large CEDIT Funds for The Downtown Parking Signage Project;

Greg Meszaros remarked that this Agreement was changed to include that money may be used for the Way-Finding project which includes marketing & design for vehicle parking signage and pedestrian information locates.

Denise Porter-Ross moved approval of Revised Agreement between the City of Fort Wayne Board of Public Works and the Downtown Improvement District allocating $25,000.00 from At-Large CEDIT Funds for The Downtown Parking Signage Project. Motion carried. Copy to be placed on file in vault.

(II) Approval of Agreement between the City of Fort Wayne and PBS 39 WFWA allocating $75,000.00 from At-Large CEDIT funds for reimbursement of capital expenses resulting from building construction and relocation to the northwest corner of Coliseum Blvd. and Crescent Ave to reimburse WFWA expenditures necessary to acquire a Zodiak System production control switcher;

John Suarez moved approval of Agreement between the City of Fort Wayne and PBS 39 WFWA allocating $75,000.00 from At-Large CEDIT funds for reimbursement of capital expenses resulting from building construction and relocation to the northwest corner of Coliseum Blvd. and Crescent Ave to reimburse WFWA expenditures necessary to acquire a Zodiak System production control switcher.

Meeting adjourned at 9:40 a.m.

Greg Meszaros, Member

John Suarez, Member

Denise Porter-Ross, Member

ATTEST: Carolyn S. Newport

Carolyn S. Newport, Clerk

BOARD OF STORMWATER MANAGEMENT
ROOM 250—OMNI ROOM
MEETING HELD AT 9:40 A.M.

GREG MESZAROS, CHAIRMAN
JOHN SUAREZ, MEMBER
DENISE PORTER-ROSS, MEMBER

CAROLYN S. NEWPORT, CLERK

PRESENT: All Members & Clerk; James Howard, Associate City Attorney; Mario Trevino, Transportation Engineering Services; Ron Sheppard, Engineering Support Services; Mark Gensic, Pat Callahan, Keith Hood, & Doug Fasick, Planning & Design; Valerie Breen, Controller's Office; Ron Sheppard, Engineering Support Services; Mary Jane Slaton & Jack Suter, Development Services; Marj Enders, Barrett Law; Charles Bailey & Carl Wilson, Contract Compliance.

1. **AWARD:** Improvement Resolution #657-02, Wayne Township Natural Drain #4 Stormwater Improvements to J & L Construction in the amount of $143,572.50; **Denise Porter-Ross moved approval of AWARD for Improvement Resolution #657-02, Wayne Township Natural Drain #4 Stormwater Improvements to J & L Construction in the amount of $143,572.50. Motion carried. Notice of award to be sent. Engineering Support Services to prepare contracts**.

2. Approval of Board of Stormwater Management Minutes of March 5, 2003;

   Jim Howard, Associate City Attorney, suggested that these minutes be corrected to read that all three Board Members be able to vote on motions regarding Condemnation of Hanna-Creighton Storm Sewer since full proceedings were furnished by a court reporter to all three Board Members.
   John Suarez moved approval of Board of Stormwater Management Minutes as amended of March 5 2003. Motion carried. Minutes approved as amended.

3. Old Business:

   None.

4. New Business:

   Approval of Construction Contract #640-2003 between Reinhart's Excavating and the City of Fort Wayne Indiana for Farwood Avenue-Hystone Drive Sewer & Drainage Improvements in the amount of $124,304.50 and Escrow Agreement for same. The First Bank of Berne is the Escrow Agent;

Denise Porter-Ross moved approval of Construction Contract #640-2003 between Reinhart's Excavating and the City of Fort Wayne Indiana for Farwood Avenue-Hystone Drive Sewer & Drainage Improvements in the amount of $124,304.50 and Escrow Agreement for same. Motion carried. Contract to be sent to City Council.

Meeting adjourned at 9:50 a.m.

Greg Meszaros, Chairman

John Suarez, Member

Denise Porter-Ross, Member

ATTEST: Carolyn S. Newport
Carolyn S. Newport, Clerk

MARCH 12, 2003

Board of Public Works
Hearing held at 10:00 a.m.
Omni Room – Room 250

Greg Meszaros, Chairman
John Suarez, Member
Denise Porter-Ross, Member

Carolyn S. Newport, Clerk

Present: All Members & Clerk, Richard Knappenberger, Transportation Engineering Services; Marj Enders, Barrett Law Clerk. No property owners were in attendance.

1. Preliminary Hearing to confirm Improvement Resolution #6921-03, Downing Avenue: 400 block. Project Engineer is Richard Knappenberger.

   Richard Knappenberger explained the scope of the project.
   Denise Porter-Ross moved to confirm Improvement Resolution #6921-03, Downing Avenue: 400 block. Motion carried. Remonstrance Period is March 24, 2003.

Hearing adjourned at 10:05 a.m.

Greg Meszaros, Member

John Suarez, Member

Denise Porter-Ross, Member

ATTEST: Carolyn S. Newport
Carolyn S. Newport, Clerk

Board of Public Works
Hearing held at 10:30 a.m.
Omni Room – Room 250

Greg Meszaros, Chairman
John Suarez, Member
Denise Porter-Ross, Member

Carolyn S. Newport, Clerk

PRESENT: All Members & Clerk, Richard Knappenberger, Transportation Engineering Services; Marj Enders, Barrett Law Clerk.

1. Preliminary Hearing to confirm Improvement Resolution #6927-03: Beechwood Drive: South Wayne Avenue to Fairfield Avenue.

Richard Knappenberger explained the scope of the work.

Greg Meszaros asked for questions from the floor.

Nike Spillson, 2530 Beechwood Circle, mentioned that she had a historical retaining wall in back of where the sidewalk was to be installed. Ms. Spillson stated that she had received a quote of $5,000.00 to repair the retaining wall and could not afford to get it repaired.

Greg Meszaros said that the City would pick up the cost.

Ms. Spillson also had concerns about trees and hedges.

Richard Knappenberger said that the City would minimize the damage.

Marj Enders explained the Barrett Law process.
John Suarez moved to confirm Improvement Resolution #6927-03: Beechwood Drive: South Wayne Avenue to Fairfield Avenue. Motion carried. Remonstrance period up on March 26, 2003.

Hearing adjourned at 10:40 a.m.

Greg Meszaros, Chairman

John Suarez, Member

Denise Porter-Ross, Member

ATTEST: Carolyn S. Newport
Carolyn S. Newport

BOARD OF PUBLIC WORKS
ROOM 250—OMNI ROOM
MEETING HELD AT 9:00 A.M.

GREG MESZAROS, CHAIRMAN
JOHN SUAREZ, MEMBER
DENISE PORTER-ROSS, MEMBER

CAROLYN S. NEWPORT, CLERK

PRESENT: Greg Meszaros, Denise Porter-Ross, Carolyn S. Newport, BOPW; Jim Howard, Associate City Attorney; Mike Fruchey, Transportation Engineering Services; Mark Gensic, Pat Callahan, Matthew Wirtz, Planning & Design; Mary Jane Slaton, Jack Suter, and Nancy Townsend, Development Services; Charles Bailey & Carl Wilson, Contract Compliance; Dan Smith, Engineering Support Services, Jeff Baxter, Parks Department. John Suarez, absent.

1. **RECEIVE BIDS:** Resolution #1515-03 Camp Scott- Phase IV- Excess Water Outlet;

Bidders	BASE BID
All Star	**$502,590.00**
Land, Inc.	**$504,815.00**
Fleming Excavating	**$555,493.85**
Crosby Excavating	**$576,575.50**
Engineers Estimate	**$583,900.00**

Engineering Support Services to tabulate and report.

2. **RECEIVE BIDS:** Resolution #6926-03 Huguenard Road from Washington Center Road to Ludwig Road;

Bidders	BASE BID
API Construction Corp.	**$750,868.94**
Brooks Construction Co., Inc.	**$753,389.48**
Wayne Asphalt	**$758,532.34**
E & B Paving, Inc.	**$814,645.00**
Engineers Estimate:	**$902,222.15**

City Engineering to tabulate and report.

3. **AWARD:** Improvement Resolution #6916-03, Hoevelwood Civic Neighborhood Project to Garcia Concrete in the amount of $36,548.00. Contract Compliance concurs with this award;
Denise Porter-Ross moved approval of award for Improvement Resolution #6916-03, Hoevelwood Civic Neighborhood Project to Garcia Concrete in the amount of $36,548.00. Motion carried. Notice of award to be sent. Transportation Engineering Services to prepare contracts.

4. **AWARD:** Improvement Resolution #6922-03, Madison Street: Lafayette Blvd. to Clay Street: Madison Street: Francis Street to Harmer Street to Hipskind Concrete Corp. in the amount of $40,949.50. Contract Compliance concurs with this award;
Denise Porter-Ross moved approval of award for Improvement Resolution #6922-03, Madison Street: Lafayette Blvd. to Clay Street: Madison Street: Francis Street to Harmer Street to Hipskind Concrete Corp. in the amount of $40,949.50. Motion carried. Notice of award to be sent. Transportation Engineering Services to prepare contracts.

5. **AWARD:** Improvement Resolution #6925-03, Monroe Street: Lewis Street to Jefferson Blvd: to Hipskind Concrete Corp. in the amount of $70,019.70. Contract Compliance concurs with this award;
Denise Porter-Ross moved approval of award for Improvement Resolution #6925-03, Monroe Street: Lewis Street to Jefferson Blvd: to Hipskind Concrete Corp. in the amount of $70,019.70. Motion carried. Notice of award to be sent. Transportation Engineering Services to prepare contracts.

6. **AWARD:** Improvement Resolution #6931-03, East Central Neighborhood Improvements to Newell Construction Co., Inc. in the amount of $42,820.00. Contract Compliance concurs with this award;
Denise Porter-Ross moved approval of award for Improvement Resolution #6931-03, East Central Neighborhood Improvements to Newell Construction Co., Inc. in the amount of $42,820.00. Notice of award to be sent. Transportation Engineering Services to prepare contracts.

7. Approval of Board of Public Works Minutes of March 12, 2003 and Preliminary Hearing Minutes of March 12, 2003 for Improvement Resolution #6921-03, Downing Avenue 400 block and Improvement Resolution #6927-03, Beechwood Drive: South Wayne Avenue to Fairfield Avenue;
Denise Porter-Ross moved approval of Board of Public Works Minutes of March 12, 2003 and Preliminary Hearing Minutes of March 12, 2003 for Improvement Resolution #6921-03, Downing Avenue 400 block and Improvement Resolution #6927-03, Beechwood Drive: South Wayne Avenue to Fairfield Avenue. Minutes approved.

8. Approval of Agreement between the City of Fort Wayne Board of Public Works and Oakdale Neighborhood Association for the allocation of $4,138.00 from Local Road Street Funds for repairs to the Oakdale Neighborhood Pillars. This was tabled from March 12, 2003;

   Greg Meszaros stated that these pillars were damaged by the Street Department resulting in this Resolution.
   Denise Porter-Ross moved approval of Agreement between the City of Fort Wayne Board of Public Works and Oakdale Neighborhood Association for the allocation of $4,138.00 from Local Road Street Funds for repairs to the Oakdale Neighborhood Pillars and wanted the record to reflect that the City was at fault and the City does not repair these on a regular basis. Motion carried. Copy to be placed on file in vault.

9. Approval of Agreement between the City of Fort Wayne Board of Public Works and the Fort Wayne Parks and Recreation Department allocating $50,000.00 of Council District 1 CEDIT funds for the purchase of capital items necessary to support neighborhood parks within Council District 1, including playground equipment, trees, and lighting of the Civil Servant's Memorial;
Denise Porter-Ross moved approval of Agreement between the City of Fort Wayne Board of Public Works and the Fort Wayne Parks and Recreation Department allocating $50,000.00 of Council District 1 CEDIT funds for the purchase of capital items necessary to support neighborhood parks within Council District 1, including playground equipment, trees, and lighting of the Civil Servant's Memorial. Motion carried. Copy to be placed on file in vault.

10. Approval of Agreement between the between the City of Fort Wayne and the Fort Wayne Redevelopment Co. to allocate $20,000.00 of District 1 CEDIT funds and $50,000 of District 6 CEDIT funds, as selected by Council Members Tom Smith & Glynn Hines, to be used for public infrastructure improvements surrounding Phoenix Manner, located adjacent to the 2300 block of Bowser Street and the 1100 block of Creighton. These improvements are to include construction of public sidewalks, drive approaches, curbs and street drainage structures;
Denise Porter-Ross moved approval of Agreement between the between the City of Fort Wayne and the Fort Wayne Redevelopment Co. to allocate $20,000.00 of District 1 CEDIT funds and $50,000 of District 6 CEDIT funds, as selected by Council Members Tom Smith & Glynn Hines, to be used for public infrastructure improvements surrounding Phoenix Manner, located adjacent to the 2300 block of Bowser Street and the 1100 block of Creighton. Motion carried. Copy to be place on file in vault.

11. **IMPROVEMENT RESOLUTION #6906-02,** Philley Avenue/Weisser Park;

Mike Fruchey, Transportation Engineering Services said that this Resolution is for the following:

PHILLEY AVENUE FROM WEISSER PARK TO SOUTH PARK DRIVE, AND WEISSER PARK FROM PHILLEY AVENUE TO PETTIT AVENUE: BY RECONSTRUCTING ROADWAY, CONSTRUCTION NEW SIDEWALKS; SOUTH SIDE ON PHILLEY AVE., NEW BITUMINOUS PAVEMENT, CONSTRUCT CURBS, CONSTRUCT DRIVEWAY APPROACHES, CURB RAMPS, REHABILITATE STORM SEWER STRUCTURES, TOPSOIL, MULCHED SEEDING RESTORATION.
Denise Porter-Ross moved approval of Improvement Resolution #6906-02. Motion carried. Copy herein incorporated. Bids to be received on 4/9/03.

12. **IMPROVEMENT RESOLUTION #6917-03,** Lincoln Park Neighborhood 2003;

Mike Fruchey, Transportation Engineering Services said that this Resolution is for the following:

LINCOLN PARK NEIGHBORHOOD BY CONCRETE DRIVE APPROACHES, SIDEWALKS, CURBS, ADA RAMPS, 48" MANHOLE TYPE 1-C, INLET TYPE 1-C, SEED AND MULCH RESTORATION.

The cost for concrete drive approaches, sidewalks, curbs, seed and mulch restoration shall be assessed 60% on the real estate abutting on said improvements and 40% upon the City and the cost for ADA ramps, 48" manhole type 1-C, and inlet type 1-C shall be assessed 100% on the City.
Denise Porter-Ross moved approval of Improvement Resolution #6917-03. Motion carried. Hearing to be scheduled.

13. **IMPROVEMENT RESOLUTION #6928-03,** Miscellaneous Package 3-A-03;

Mike Fruchey, Transportation Engineering Services, stated that this Resolution is for the following:

THE S.W. AND N.W. CORNER OF LIMA ROAD AND CLINTON STREET BY RECONSTRUCTION OF NEW CONCRETE CURBFACE WALK, CONCRETE DRIVEWAY APPROACHES, ADA CURBRAMPS, AND MULCHED SEEDING; 1219 MARGARET AVENUE BY RECONSTRUCTION OF CONCRETE SIDEWALK AND MULCHED SEEDING RESTORATION.
Denise Porter-Ross moved approval of Improvement Resolution #6928-03. Motion carried. Bids to be received on 4/2/03.

14. Approval of Agreement between the City of Fort Wayne and American Consulting, Inc. to provide professional services for the Construction Management and Inspection of improvements to Pontiac Street and Wayne Trace Intersections. Proposed improvements include: Resident Project Representative and inspectors as needed throughout construction. Compensation for services performed shall be a fee not to exceed $131,560.00. City Engineering recommends approval;

Mike Fruchey, Transportation Engineering Services said that this project would be in the 6th City Council District and that the fee for this agreement is around 10% of the construction contract.
Denise Porter-Ross moved approval of Agreement between the City of Fort Wayne and American Consulting, Inc. to provide professional services for the Construction Management and Inspection of improvements to Pontiac Street and Wayne Trace Intersections. Motion carried. Copy to be placed on file in vault. Notice to proceed to be sent.

15. Approval of Agreement between the City of Fort Wayne and DLZ-Indiana, LLC to provide professional services for the study of improvements to traffic in the Downtown Improvement District. Proposed services include: data collection at 60 signalized intersections, block by block parking spaces and regulations; traffic counts at 44 significant signalized intersections; development of traffic model; analysis of existing traffic operations; report; software and staff training to operate traffic model. Compensation for services performed shall be a lump fee of $34,190.00 with option to add intersections not to exceed fee of $39,950.00. City Engineer recommends approval;

Mike Fruchey, Transportation Engineering Services, stated that the fees for the professional services are right in line of 10% of the construction costs.
Denise Porter-Ross moved approval of Agreement between the City of Fort Wayne and DLZ-Indiana, LLC to provide professional services for the study of improvements to traffic in the Downtown Improvement District. Motion carried. Copy to be placed on file in vault. Notice to proceed to be sent.

16. Approval of Construction Contract #6920-03 between Garcia Concrete Construction Co., Inc. and the City of Fort Wayne for Kern Valley Meadows in the amount of $22,090.00;
Denise Porter-Ross moved approval of Construction Contract #6920-03 between Garcia Concrete Construction Co., Inc. and the City of Fort Wayne for Kern Valley Meadows in the amount of $22,090.00. Motion carried. Notice to proceed to be sent.

17. Approval of recommendation received from Transportation Engineering Services to accept the work performed by Wayne Asphalt & Construction Co., Inc. on Improvement Resolution #6809-01, Trier Road: Maplecrest Road to Lahmeyer Road and on Improvement Resolution #6875-02, Victoria Drive: Inwood Drive to Eastern Terminus;
Denise Porter-Ross moved approval of recommendation received from Transportation Engineering Services to accept the work performed by Wayne Asphalt & Construction Co., Inc. on Improvement Resolution #6809-01, Trier Road: Maplecrest Road to Lahmeyer Road and on Improvement Resolution #6875-02, Victoria Drive: Inwood Drive to Eastern Terminus. Motion carried. Acceptances to be sent.

18. Approval of Authorization for Release of Escrow received from Wayne Asphalt & Construction Co., Inc. for Improvement Resolution #6809-01, Trier Road in the amount of $42,028.91. Fifth Third Bank is the Escrow Agent;
Denise Porter-Ross moved approval of Authorization for Release of Escrow received from Wayne Asphalt & Construction Co., Inc. for Improvement Resolution #6809-01, Trier Road in the amount of $42,028.91. Motion carried. Release of Escrow to be sent to the Escrow Agent.

19. Approval of Construction Contract #283-03 between Robert Henry Corporation and the City of Fort Wayne for Lima Road Street Lighting Project in the amount of $21,743.50;
Denise Porter-Ross moved approval of Construction Contract #283-03 between Robert Henry Corporation and the City of Fort Wayne for Lima Road Street Lighting Project in the amount of $21,743.50. Motion carried. Notice to proceed to be sent.

20. Approval of Construction Contract #1513-03 between the City of Fort Wayne and All Star Construction & Excavating for Camp Scott Phase II – Force Main in the amount of $898,206.00;

Denise Porter-Ross moved approval of Construction Contract #1513-03 between the City of Fort Wayne and All Star Construction & Excavating for Camp Scott Phase II – Force Main in the amount of $898,206.00. Motion carried. Contract to be sent to City Council.

21. Approval of Construction Contract #1530-03 between the City of Fort Wayne and Miller Pipeline for Waynedale Water Main Replacement in the amount of $580,956.50;
Denise Porter-Ross moved approval of Construction Contract #1530-03 between the City of Fort Wayne and Miller Pipeline for Waynedale Water Main Replacement in the amount of $580,956.50. Motion carried. Contract to be sent to City Council.

22. Approval of 2003 On-Call Drafting/Survey Service hourly rate schedule received from Gove Associates, Inc. Engineering Support Services recommend approval;

Dan Smith, Engineering Support Services, said that Gove Associates, Inc. has a yearly contract for On-Call Drafting/Survey Service and this schedule approves the hourly rate.
Denise Porter-Ross moved approval of 2003 On-Call Drafting/Survey Service hourly rate schedule received from Gove Associates, Inc. Motion carried. Copy to be placed on file in vault. Notice to proceed to be sent.

23. Approval of Professional Services Agreement between the City of Fort Wayne and HNTB Corporation for Northwest Pump Station-Pump #1 Interim Controls. The not-to-exceed amount for this contract is $24,500.00. Planning & Design Services recommend approval;

Matthew Wirtz, Planning & Design, apprised the Board that this Agreement is for improvements to the Northwest Pump Station consists of designing new controls for Pump 1 by the peak water demand season of July, 2003. The work will be coordinated with the "Electrical Modifications for Portable Emergency Generator at Water Booster Stations" project that is anticipated to begin in March, 2003.
Denise Porter-Ross moved approval of Professional Services Agreement between the City of Fort Wayne and HNTB Corporation for Northwest Pump Station-Pump #1 Interim Controls. Motion carried. Copy to be placed on file in vault. Notice to proceed to be sent.

24. Approval of Professional Services Agreement between the City of Fort Wayne and Earth Tech for Unaccounted-for-Water Program. The not-to-exceed amount for this contract is $67,000.00. Planning & Design Services recommend approval;

Matthew Wirtz, Planning & Design, apprised the Board of the following: the City is in the process of establishing a proactive unaccounted-for water (UFW) program. The program, once it is established, will become part of normal operating procedure by City Staff. Earth Tech has been selected to coordinate the establishment of the UFW program for the City. Overall, the UFW program will provide the following:

I. A clear understanding of "where the water goes" that enters the water distribution system.
II. Establishment of the current level of UFW.
III. Establishment of an economic level of leakage
IV. Creation of a proactive plan for active leakage control.
V. Establishment of strategies for management of UFW.

Denise Porter-Ross moved approval of Professional Services Agreement between the City of Fort Wayne and Earth Tech for Unaccounted-for-Water Program. Motion carried. Copy to be herein incorporated. Notice to proceed to be sent.

25. Approval of **RESOLUTION** of the Board of Public Works Establishing a Policy for Boat Use on the Hurshtown Reservoir;

Mary Jane Slaton, Development Services, apprised the Board of the following: boats with engines and motors now may be launched on the reservoir, gasoline powered engines may not be operated. Boards with gasoline engines may be launched if the engines are tilted up when the boats are launched and on the reservoir.

Boards with electric motors may be launched, and the electric motors may be operated on the reservoir.

The new policy is intended to encourage public use of the reservoir for a variety of recreational activities. The new policy also means the Indiana Department of Natural Resources will continue to keep the reservoir stocked with fish.
Denise Porter-Ross moved approval of RESOLUTION of the Board of Public Works Establishing a Policy for Boat Use on the Hurshtown Reservoir. Motion carried. Copy to be herein incorporated.

26. Approval of Partial Release of Utility Easement located in a portion of the Jefferson Pointe Shopping Center;

Jack Suter, Development Services, stated that the existing sanitary sewer line was relocated from the Easement to a new easement area and granted to the City a new utility easement over the same as recorded in the Allen County Recorder's Office. In consideration of the new easement, the City wishes to release their easement rights pertaining to the Released Easement.
Denise Porter-Ross moved approval of Partial Release of Utility Easement located in a portion of the Jefferson Pointe Shopping Center. Motion carried. Easement released. Copy to be recorded in the Allen County Recorder's Office.

27. Approval of Water Contract #2002-W-17 between Tippman Properties and the Fort Wayne Water Utility to construct water main systems to serve Vicksburg Pike Water Main Extension. This project is located outside the City of Fort Wayne (PRIVATELY FUNDED);

Jack Suter, Development Services, said that said water line to include 1070 l.f. of 12" ductile iron pipe.
Denise Porter-Ross moved approval of Water Contract #2002-W-17 between Tippman Properties and the Fort Wayne Water Utility to construct water main systems to serve Vicksburg Pike Water Main Extension. Motion carried. Water main systems to be constructed.

28. Approval of Water Contract #2002-W-25 between the Chestnut Group, Inc. and the Fort Wayne Water Utility to construct water main systems to serve Kensington Downs East Section IV. This project is located inside the City of Fort Wayne (PRIVATE & UTILITY CAPITAL FUNDED);

Jack Suter, Development Services, said that said water line to include 1058 l.f. of 8" ductile iron pipe, and 1131 l.f. of 16" ductile iron pipe.
Denise Porter-Ross moved approval of Water Contract #2002-W-25 between the Chestnut Group, Inc. and the Fort Wayne Water Utility to construct water main systems to serve Kensington Downs East Section IV. Motion carried. Water main systems to be constructed.

29. Approval of Barrett Law Claims in the amount of $18,258.78.
Denise Porter-Ross moved approval of Barrett Law Claims in the amount of $18,258.78. Motion carried. Barrett Law Claims to be sent to the Department of Finance.

30. Approval of General Accounting Claims in the amount of $5,537,539.38.
Denise Porter-Ross moved approval of General Accounting Claims in the amount of $5,537,539.38. Motion carried. Barrett Law Claims to be sent to the Department of Finance.

31. Old Business:

None.

32. New Business:

None.

Meeting adjourned at 9:35 a.m.

Greg Meszaros, Chairman

Denise Porter-Ross, Member

John Suarez, Member

ATTEST: Carolyn S. Newport, Clerk

BOARD OF STORMWATER MANAGEMENT
ROOM 250—OMNI ROOM
MEETING HELD AT 9:45 A.M.

GREG MESZAROS, CHAIRMAN
JOHN SUAREZ, MEMBER
DENISE PORTER-ROSS, MEMBER

CAROLYN S. NEWPORT, CLERK

PRESENT: Greg Meszaros, Denise Porter-Ross, Carolyn S. Newport, BOPW; Jim Howard, Associate City Attorney; Mike Fruchey, Transportation Engineering Services; Mark Gensic, Pat Callahan, Matthew Wirtz, Planning & Design; Mary Jane Slaton, Jack Suter, and Nancy Townsend, Development Services; Charles Bailey & Carl Wilson, Contract Compliance; Dan Smith, Engineering Support Services, Jeff Baxter, Parks Department. John Suarez, absent.

1. Approval of Board of Stormwater Management Minutes of March 17, 2003;
Denise Porter-Ross moved approval of Board of Stormwater Management Minutes of March 17, 2003. Motion carried. Minutes approved.

2. **RESOLUTION** Reducing the Stormwater Utility Fees for the Fort Wayne Parks and Recreation Department;

Mary Jane Slaton, Development Services, stated that this Resolution resolves that the Department of Parks & Recreation is hereby granted a 50% reduction in total stormwater fees assessed to the Department (after application of the prevailing non-profit discount). This fee reduction shall apply to all currently existing and future park developments and is in lieu of other credit reductions.
Denise Porter-Ross moved approval of RESOLUTION Reducing the Stormwater Utility Fees for the Fort Wayne Parks and Recreation Department. Motion carried. Copy to be herein incorporated.

3. Approval of Professional Services Agreement between the City and GRW Engineers, Inc. for the completion of the Stormwater Projects Plan. Work will include investigation and analysis of stormwater complaints received by the City in order to identify and plan for future stormwater improvements. Estimated cost is not-to-exceed $149,500.00. Development Services recommend approval;

Nancy Townsend, Development Services, apprised the Board of the following; the project will review existing inventory of stormwater problems from calls to the City, propose and prioritize solutions, and recommend procedures to improve the process of resolving stormwater problems for the City and citizens.
Denise Porter-Ross moved approval of Professional Services Agreement between the City and GRW Engineers, Inc. for the completion of the Stormwater Projects Plan. Motion carried. Copy to be placed on file in vault. Notice to proceed to be sent.

4. Old Business:

None.

5. New Business:

None.

Meeting adjourned at 9: 45 a.m.

Greg Meszaros, Chairman

Denise Porter-Ross, Member

John Suarez, Member

ATTEST:
Carolyn S. Newport, Clerk

BOARD OF PUBLIC WORKS
ROOM 250—OMNI ROOM
MEETING HELD AT 9:00 A.M.

GREG MESZAROS, CHAIRMAN
JOHN SUAREZ, MEMBER
DENISE PORTER-ROSS, MEMBER

CAROLYN S. NEWPORT, CLERK

PRESENT: All Members & Clerk, James Howard, Associate City Attorney; Christine Gabriel, Law Department; Mary Jane Slaton & Jack Suter, Development Services; Ron Sheppard, Engineering Support Services; Mario Trevino, Transportation Engineering Services; Charles Bailey & Carl Wilson, Contract Compliance; John Perlich, Public Information/Board of Works; Bill Simmons, Water Resources; Mark Gensic, Planning & Design; Dan Brenner, Property Manager; Ed Foss, All Star Construction; Rob Young, Fort Wayne Allen County Economic Development Alliance; Ed Ruppel, Eagle Lake Homeowner's Assoc., Inc.

1. RECEIVE BIDS: Resolution# 6918-03: Resurfacing Package 1-2003.

BIDDERS	BASE BID
Brooks Construction Co., Inc.	$598,491.50
E&B Paving	**$585,290.50**
Wayne Asphalt	$586,561.00
Engineers Estimate	**$622,630.90**

Transportation Engineering Services to tabulate and report.

2. RECEIVE BIDS: Resolution #6930-03: North Highlands Neighborhood Improvements.

BIDDERS	BASE BID
Benchmark Construction, L.L.C.	$126,716.00
Garcia Concrete Construction	**$120,368.05**
Hipskind Concrete	$127,340.60
Key Concrete, Inc.	$132,941.60
Primco, Inc.	$131,792.09
Engineers Estimate	**$151,770.00**

Transportation Engineering Services to tabulate and report.

3. RECEIVE BIDS: Resolution# 6895-02: Public Sidewalk Curb Ramp Intersections 2002-Pkg.

BIDDERS	BASE BID
Hipskind Concrete, Inc.	$153,350.00

Key Concrete, Inc.	**$121,562.00**
Engineers Estimate	**$131,428.00**

Transportation Engineering Services to tabulate and report.

4. Approval of Board of Public Works Minutes of March 19, 2003.

Denise Porter-Ross moved approval of Board of Public Works Minutes of March 19, 2003. Motion carried. Minutes approved.

5. Review of Camp Scott Excess Outfall Bid.

Ron Sheppard, Engineering Support Services, apprised the Board of the following: in reviewing the Camp Scott Excess Outfall Bid, an error was found in the bid submitted by All Star Construction. Item #7 involving the railroad and bore, 54" steel casing with 36" pipe showed a price of $355.00 per foot. The extension on their bid showed an extension price of $262,000.00 for the 400 feet shown in the bid tab which would result in a unit cost of $655.00 per foot.

All Star Construction was contacted about the error and they did acknowledge they made a mistake in their unit pricing. In this case, the unit price shown did not calculate to the price shown in the extension.

All Star Construction stated that they would not be willing to complete the project for the unit price stated on their original bid. They would stand by the price in the extension on their bid submittal. The difference between the numbers is $120,000.00 on this one item. All Star Construction bid price would be $382,590.00 with the unit correction. All Stars' bid as read would be $502,590.00.

Greg Meszaros stated that Ed Foss, President of All Star, submitted a letter to the City in response to the error.

John Suarez stated that Ed Foss found another company non-responsive on a previous bid by not turning in all the required documents. John stated that he felt like the Board should treat all contractors equally and that by overlooking All Stars' mistake would set a precedent.

Mark Gensic, Planning & Design, stated that the City bid documents need to be reviewed to clarify language on unit pricing.

Jim Howard, Associate City Attorney, stated that technically, All Stars' bid is non-responsive.

Denise Porter Ross moved to table the review of Camp Scott Outfall Bid for two weeks in order to obtain more information on unit pricing. Motion carried. Review tabled.

6. **AWARD:** Improvement Resolution #6926-03, Huguenard Road: Washington Center Road to Ludwig Road to API Construction Corporation in the amount of $750,868.94. Contract Compliance concurs with this award. **PRIOR APPROVAL IS REQUESTED.**

John Suarez moved approval of award for Improvement Resolution #6926-03, Huguenard Road: Washington Center Road to Ludwig Road to API Construction Corporation in the amount of $750,868.94. Motion carried. Notice of award to be sent. City Engineering to prepare contracts.

7. **AWARD:** Improvement Resolution #625-01, Rothman Road Relief Sewers Phase I to Geiger Excavating in the amount of $1,075,273.00. Contract Compliance concurs with this award.

Denise Porter-Ross moved approval of award for Improvement Resolution #625-01, Rothman Road Relief Sewers Phase I to Geiger Excavating in the amount of $1,075,273.00. Motion carried. Notice of award to be sent. Engineering Support Services to prepare contracts.

8. **AWARD:** Improvement Resolution #666-02, Sheridan Road Sanitary Sewer Extension to Earth Construction in the amount of $49,350.00. Contract Compliance concurs with this award.

John Suarez moved approval of award for Improvement Resolution #666-02, Sheridan Road Sanitary Sewer Extension to Earth Construction in the amount of $49,350.00. Motion carried. Notice of award to be sent. Engineering Support Services to prepare contracts.

9. **IMPROVEMENT RESOLUTION #6923-03,** Miscellaneous Construction Package 5-A-03.

Mario Trevino, Transportation Engineering Services said that this Resolution is to improve 1919 Pine Street, 3711 Indiana Avenue, 6211 Downingtown Drive, 725 Wildwood Avenue, and 344 Paulding Road by reconstruction of sidewalk, concrete curb, concrete driveway, mulched seeding and restoration.

Denise Porter-Ross moved approval of Improvement Resolution #6923-03. Motion carried. Copy to be herein incorporated. Bids to be received on 4/2/03.

10. **IMPROVEMENT RESOLUTION #6933-03,** Oakhurst Addition.

Mario Trevino, Transportation Engineering Services said that this Resolution is to replace concrete street pavement and various drive approaches on Walden Run from Trier to Lionel, and Lionel Drive from Walden Run to Oakhurst.

Denise Porter-Ross moved approval of Improvement Resolution #6933-03. Motion carried. Copy to be herein incorporated. Bids to be received on 4/16/02.

11. Approval of Change Order #1 received from Wayne Asphalt & Construction Co., Inc. for Improvement Resolution #6914-03, Harrison Street: Rudisill Blvd. to Killea Street increasing the contract price by $11,525.00. The original contract price was $161,762.00. The new contract price including this change order is $173,287.00.

Mario Trevino, Transportation Engineering Services, said that this change order is necessary because the bid specifications did not reflect federal wage rates in connection with the CDBG funding.

John Suarez moved approval of Change Order #1 received from Wayne Asphalt & Construction Co., Inc. for Improvement Resolution #6914-03, Harrison Street: Rudisill Blvd. to Killea Street increasing the contract price by $11,525.00. Motion carried. Contract price to be increased.

12. Approval of Change Order #6 received from R. E. Crosby for the New Transportation Facility at Young Road increasing the contract price by $4,309.00. The original contract price was $707,415.00. The new contract price including this change order is $1,063,438.55.

Mary Jane Slaton, Development Services said that this change order is due to the contractor relocating one S02 light fixture to the exterior wall of the salt dome and also removal and reinstalling a light pole and concrete.

Denise Porter-Ross moved approval of Change Order #6 received from R. E. Crosby for the New Transportation Facility at Young Road increasing the contract price by $4,309.00. Motion carried. Contract price to be increased.

13. Approval of Construction Contract #6878-02 between the City of Fort Wayne and Hipskind Concrete Corp for Leesburg Road: Main Street to Spring Street in the amount of $400,081.00.

John Suarez moved approval of Construction Contract #6878-02 between the City of Fort Wayne and Hipskind Concrete Corp for Leesburg Road: Main Street to Spring Street in the amount of $400,081.00. Motion carried. Contract to be sent to City Council.

14. Approval of **RESOLUTION** of the Board of Public Works of the City of Fort Wayne, Indiana, Regarding the Approval of Forms of Bond Ordinances, Recommending their Adoption to the Common Council of the City and Authorizing the Reimbursement of Certain Expenses from Bonds and Other Related Matters.

Greg Meszaros stated that this Resolution is for issuance of bond funding for combined sewer projects, Camp Scott projects, and other capital projects.

Denise Porter-Ross moved approval of **RESOLUTION** of the Board of Public Works of the City of Fort Wayne, Indiana, Regarding the Approval of Forms of Bond Ordinances, Recommending their Adoption to the Common Council of the City and Authorizing the Reimbursement of Certain Expenses from Bonds and Other Related Matters. Motion carried. Resolution to be sent to City Council. Copy to be herein incorporated.

15. **IMPROVEMENT RESOLUTION #1553-2003,** Exterior Cleaning and Painting of 4 MG Northwest Concrete Ground Storage Water Tank and Pump Station Bldg.

Bill Simmons, Water Resources, said that this tank is located on Lima Road south of Cook Road and was built in 1984. The paint finish has deteriorated.

John Suarez moved approval of IMPROVEMENT RESOLUTION #1553-2003, Exterior Cleaning and Painting of 4 MG Northwest Concrete Ground Storage Water Tank and Pump Station Bldg. Motion carried. Copy to be herein incorporated. Bids to be received on 4/23/03.

16. Approval of Professional Services Agreement between the City of Fort Wayne and Lawson-Fisher Associates P.C. for St. Joseph River Dam – Phase I Project. The not-to-exceed fee for this contract is $62,800.00. Planning & Design Services recommend approval.

Mark Gensic, Planning & Design, stated that this project consists of the design of the following items;

- Remove wooden boardwalk downstream of dam.
- Repair voids under the downstream apron.
- Cutoff steel sheet piling in river.
- Repair trash racks at the pump intakes.
- Replace wood flashboards at two bays.
- Install safety cable and warning signs.
- Repair downstream sheet piling.
- Material & procedural specifications for Tainter gate seal replacement.
- Material and procedural specifications for Tainter gate structural repairs.

Denise Porter-Ross moved approval of Professional Services Agreement between the City of Fort Wayne and Lawson-Fisher Associates P.C. for St. Joseph River Dam – Phase I Project. The not-to-exceed fee for this contract is $62,800.00. Motion carried. Copy to be placed on file in vault. Notice to proceed to be sent.

17. Approval of Professional Services Agreement between the City of Fort Wayne and Lawson-Fisher Associates P.C. for Cedarville Dam Miscellaneous Improvements. The lump sum fee for this contract is $12,800.00. Planning & Design Services recommend approval.

Mark Gensic, Planning & Design Services, said that this project consists of the development of material and procedural specifications for the following items:

- Safety Cable.
- Warning signs.
- Safety lights.
- Structural repairs of East Tainter Gate,

Denise Porter-Ross moved approval of Professional Services Agreement between the City of Fort Wayne and Lawson-Fisher Associates P.C. for Cedarville Dam Miscellaneous Improvements. Motion carried. Copy to be placed on file in vault.

18. Approval of five (5) Encroachment License Agreements. These agreements allow various encroachments into a proposed easement needed for the relocation/replacement of a water main on Lima Road. Planning & Design and Development Services recommend approval.

John Suarez moved approval of five (5) Encroachment License Agreements. Motion carried. Encroachment License Agreements to be sent to the Allen County Recorders Office.

19. Approval of Professional Services Agreement and SCO Engineering, LLC for a Due Diligence Study of a property at Liberty Mills and Homestead Roads. The cost of this agreement is $1,400.00. Property Management recommends approval.

Mary Jane Slaton, Development Services, stated that this study will assess the feasibility of developing site as a future Fort Wayne Fire Station in Aboite Township.

Denise Porter-Ross moved approval of Professional Services Agreement and SCO Engineering, LLC for a Due Diligence Study of a property at Liberty Mills and Homestead Roads. Motion carried. Copy to be placed on file in vault. Notice to proceed to be sent.

20. Approval of Contract for Professional Economic Development Services by and between the Economic Development Alliance and Fort Wayne City Utilities. The cost of the contract is $60,000.00. Development Services recommend approval.

Rob Young, President, Economic Development Alliance, stated that this Contract is for 400 hours of direct marketing services for the development of the economic base of Fort Wayne and the stabilization of its rate base.

Denise Porter-Ross moved approval of Contract for Professional Economic Development Services by and between the Economic Development Alliance and Fort Wayne City Utilities. Motion carried. Copy to be placed on file in vault. Notice to proceed to be sent.

21. Approval of Professional Services Agreement between the City of Fort Wayne and Malcolm Pirnie, Inc. for conceptual design of the disinfection conversion and South Reservoir chlorine contact basin at the Three Rivers Filtration Plant. The not-to-exceed fee this contract is $63,500.00. Planning & Design Services recommend approval.

Mark Gensic, Planning & Design, said that the scope of this conceptual design will position the City to improve its disinfection practices for long-term compliance.

Denise Porter-Ross moved approval of Professional Services Agreement between the City of Fort Wayne and Malcolm Pirnie, Inc. for conceptual design of the disinfection conversion and South Reservoir chlorine contact basin at the Three Rivers Filtration Plant. Motion carried. Copy to be placed on file in vault. Notice to proceed to be sent.

22. Approval of Professional Services Agreement between the City of Fort Wayne and R. W. Armstrong & Associates for the design of a sanitary sewer to allow for elimination of the Bluffton Road Lift Station. The contract amount for this work is not-to-exceed $33,694.00. The contract amount includes easement plats and descriptions for an estimated four easements. Planning & Design Services recommend approval.

Mark Gensic, Planning & Design, said that this project is for abandonment/elimination of the Bluffton Road Lift Station located on Peachewa Trail, East of Bluffton Road. The project will include the installation of a new gravity sewer system to reconnect the existing sanitary services in the area, consisting of approximately 630 LF of 12" gravity sewer, 825 LF of 8" gravity sewer and 5 precast concrete manholes.

Denise Porter-Ross moved approval of Professional Services Agreement between the City of Fort Wayne and R. W. Armstrong & Associates for the design of a sanitary sewer to allow for elimination of the Bluffton Road Lift Station. The contract amount for this work is not-to-exceed $33,694.00. Motion carried.

23. Approval of three (3) Professional Services Agreements received from Crowe, Chizek and Company LLP in connection with City Utilities. Services provided under these agreements would include general consulting services relating to: general accounting, regulatory issues, rate design, and other related tax and financial services. Hourly rates range between $75 to $250 depending upon the staff involved.

Greg Meszaros stated that Crowe, Chizek and Company LLP has performed services for the City for a number of years for both the Utilities and Civil City.

Denise Porter-Ross moved approval of three (3) Professional Services Agreements received from Crowe, Chizek and Company LLP in connection with City Utilities. Motion carried. Copy to be placed on file in vault. Notice to proceed to be sent.

24. Approval of Agreement for Professional Services between the City of Fort Wayne and Roger Hirt for a project involving application of Six Sigma quality management tools to City Services and the training of City employees in the use of these tools. The not-to-exceed fee for this agreement is $72,000.00.

Denise Porter-Ross moved approval of Agreement for Professional Services between the City of Fort Wayne and Roger Hirt for a project involving application of Six Sigma quality management tools to City Services and the training of City employees in the use of these tools. Motion carried. Copy to be placed on file in vault. Notice to proceed to be sent.

25. Approval of Sewer Contract #2003-S-04 between Tippman Properties and the Fort Wayne Water Pollution Control to construct a local sanitary sewer system to serve Vicksburg Pike. This project is outside the City. This contract contains provisions for Waiver of Remonstrance against annexation. This project is in a green zone (PRIVATELY FUNDED).

Jack Suter, Development Services, said that this development is west of Hadley Road in Aboite Township and the sewer would serve an industrial site.

John Suarez moved approval of Sewer Contract #2003-S-04 between Tippman Properties and the Fort Wayne Water Pollution Control to construct a local sanitary sewer system to serve Vicksburg Pike. Motion carried. Sanitary sewer to be constructed.

26. Approval of Escrow Agreement between the City of Fort Wayne and All Star Construction for Improvement Resolution #1513-03, Camp Scott Phase II – Force Main. Lake City Bank is the Escrow Agent.

Denise Porter-Ross moved approval of Escrow Agreement between the City of Fort Wayne and All Star Construction for Improvement Resolution #1513-03, Camp Scott Phase II – Force Main. Motion carried. Copy to be sent to the Escrow Agent.

27. Approval of recommendation received from Engineering Support Services to accept the work performed by Bowen Engineering Services on Contract #00-W-01, Filter Backwash System.

John Suarez moved approval of recommendation received from Engineering Support Services to accept the work performed by Bowen Engineering Services on Contract #00-W-01, Filter Backwash System. Motion carried. Acceptance letter to be sent.

28. Approval of recommendation received from Engineering Support Services to accept the work performed by Michael Kinder & Sons, Inc. on Water Contract #2002-W-12, Liberty Drive Water Main Replacement as an integral part of the City's water distribution system.

Denise Porter-Ross moved approval of recommendation received from Engineering Support Services to accept the work performed by Michael Kinder & Sons, Inc. on Water Contract #2002-W-12, Liberty Drive Water Main Replacement as an integral part of the City's water distribution system. Motion carried. Acceptance letter to be sent.

29. Approval of General Accounting Claims in the amount of $20,229,518.64;

Denise Porter-Ross moved approval of General Accounting Claims in the amount of $20,229,518.64. Motion carried. Claims to be sent to the Department of Finance.

30. Old Business:

None.

31. New Business:

None.

Meeting adjourned at 10:05 a.m.

Greg Meszaros, Chairman

John Suarez, Member

Denise Porter-Ross, Member

ATTEST:

Carolyn S. Newport, Clerk

MARCH 26, 2003

BOARD OF STORMWATER MANAGEMENT
ROOM 250—OMNI ROOM
MEETING HELD AT 10:05 A.M.

GREG MESZAROS, CHAIRMAN
JOHN SUAREZ, MEMBER
DENISE PORTER-ROSS, MEMBER

CAROLYN S. NEWPORT, CLERK

PRESENT: All Members & Clerk, James Howard, Associate City Attorney; Christine Gabriel, Law Department; Mary Jane Slaton & Jack Suter, Development Services; Ron Sheppard, Engineering Support Services; Mario Trevino, Transportation Engineering Services; Charles Bailey & Carl Wilson, Contract Compliance; John Perlich, Public Information/Board of Works; Bill Simmons, Water Resources; Mark Gensic, Planning & Design; Dan Brenner, Property Manager; Ed Foss, All Star Construction; Rob Young, Fort Wayne Allen County Economic Development Alliance; Ed Ruppel, Eagle Lake Homeowner's Assoc., Inc.

1. Agreement between the Board of Stormwater Management and Eagle Lake Homeowner's Association, Inc. approving a stormwater credit for the subdivision.

   Mary Jane Slaton, Development Services, said that Ed Ruppel, Treasurer of Eagle Lake Homeowner's Assoc., Inc. has formally applied for a stormwater credit for all residential and non-residential properties located within its boundaries, which properties are also located within a drainage and maintenance repair district created under Indiana Code 14-27-8-4 with the approval of the Allen County Surveyor's Office and the County Drainage Board.
   John Suarez moved approval of agreement between the Board of Stormwater Management and Eagle Lake Homeowner's Association, Inc. approving a stormwater credit for the subdivision. Motion carried. Copy to be placed on file in vault.

2. Approval of Board of Stormwater Management Minutes of March 19, 2003.
   Denise Porter-Ross moved approval of Board of Stormwater Management Minute of March 19, 2003. Motion carried. Minutes approved.

3. Old Business:

   None.

4. New Business:

   None.

Meeting adjourned at 10:10 a.m.

Greg Meszaros, Chairman

John Suarez, Member

Denise Porter-Ross, Member

ATTEST: Carolyn S. Newport
Carolyn S. Newport, Clerk

APRIL 2, 2003

BOARD OF STORMWATER MANAGEMENT
ROOM 250—OMNI ROOM
MEETING HELD AT 9:25 A.M.

GREG MESZAROS, CHAIRMAN
JOHN SUAREZ, MEMBER
DENISE PORTER-ROSS, MEMBER

CAROLYN S. NEWPORT, CLERK

PRESENT: John Suarez, Denise Porter-Ross, and Carolyn S. Newport, BOW; Mario Trevino, Transportation Engineering Services; Pat Callahan & Matthew Wirtz, Planning & Design; Carl Wilson, Contract Compliance; Matt Gratz, Solid Waste Department; Rick Orr, Finance Mgr./BOW; Christine Gabriel, Associate City Attorney. Greg Meszaros, absent.

1. Approval of Agreement between Verne V. Mitchell & Associates and the Board of Stormwater Management Board for appraisals of the Loray Enterprises and the Berry Slayton properties in the Hanna-Creighton development area.

   Mary Jane Slaton, Development Services, stated that this Agreement is for appraisals requested by the Board in connection with the Hanna-Creighto development area.

   John Suarez moved approval of Agreement between Verne V. Mitchell & Associates and the Board of Stormwater Management Board for appraisals of the Loray Enterprises and the Berry Slayton properties in the Hanna-Creighton development area. Motion carried. Copy to be placed on file in vault. Notice to proceed to be sent.

2. Approval of Board of Stormwater Management Minutes of March 26, 2003.

   John Suarez moved approval of Board of Stormwater Management Minutes of March 26, 2003. Motion carried. Minutes approved.

3. Approval of Authorization for Full Release of Escrow received from Land, Inc. for Contract #647-02, Hickory Grove/Waycross Drive Stormwater. Farmers & Merchants Bank is the Escrow Agent.

   John Suarez moved approval of Authorization for Full Release of Escrow received from Land, Inc. for Contract #647-02, Hickory Grove/Waycross Drive Stormwater. Motion carried. Release of Escrow to be sent to the Escrow Agent.

4. Old Business:

   None.

5. New Business:

   None.

Meeting adjourned at 9:30 a.m.

~~Greg Meszaros, Chairman~~

John Suarez, Member

Denise Porter-Ross, Member

ATTEST: Carolyn S. Newport

Carolyn S. Newport, Clerk

APRIL 2, 2003

BOARD OF PUBLIC WORKS
ROOM 250—OMNI ROOM
MEETING HELD AT 9:00 A.M.

GREG MESZAROS, CHAIRMAN
JOHN SUAREZ, MEMBER
DENISE PORTER-ROSS, MEMBER

CAROLYN S. NEWPORT, CLERK

PRESENT: John Suarez, Denise Porter-Ross, and Carolyn S. Newport, BOW; Mario Trevino, Transportation Engineering Services; Pat Callahan & Matthew Wirtz, Planning & Design; Carl Wilson, Contract Compliance; Matt Gratz, Solid Waste Department; Rick Orr, Finance Mgr./BOW; Christine Gabriel, Associate City Attorney. Greg Meszaros, absent.

1. RECEIVE BIDS: Resolution# 6923-03: Miscellaneous Package 5-A-03.

BIDDERS	BASE BID
G.E. Minear, Inc.	**$11,677.00**
Hipskind Concrete	$13,240.30
Newell Construction	$13,091.00
Engineers Estimate	**$8,823.25**

Transportation Engineering Services to tabulate and report.

2. RECEIVE BIDS: Resolution# 6928-03: Miscellaneous Package 3-A-03.

BIDDERS	BASE BID
Garcia Concrete	$23,883.00
Hipskind Concrete	$16,531.62
Key Concrete, Inc.	$17,900.00
Newell Construction	$15,804.00
Widner Paving, Inc.	**$15,027.00**
Engineers Estimate	**$13,223.00**

Transportation Engineering Services to tabulate and report.

3. **AWARD:** Improvement Resolution #6895-02, Public Sidewalk Curb Ramp Intersections 2002, Package 5 to Key Concrete, Inc. in the amount of $121,562.00. Contract Compliance concurs with this award. **PRIOR APPROVAL REQUESTED.**

John Suarez moved approval of award for Improvement Resolution #6895-02, Public Sidewalk Curb Ramp Intersections 2002, Package 5 to Key Concrete, Inc. in the amount

of $121,562.00. Motion carried. Notice of award to be sent. Transportation Engineering Services to prepare contracts.

4. **AWARD:** Improvement Resolution #6918-03, Resurfacing Package 1-2003 to E & B Paving in the amount of $585,290.50. Contract Compliance concurs with this award. **PRIOR APPROVAL REQUESTED.**

   John Suarez moved approval of Improvement Resolution #6918-03, Resurfacing Package 1-2003 to E & B Paving in the amount of $585,290.50. Motion carried. Notice of award to be sent. Transportation Engineering Services to prepare contracts.

5. **AWARD:** Improvement Resolution #6930-03, North Highlands Neighborhood Improvement to Garcia Concrete Construction, Inc. in the amount of $120,368.05. Contract Compliance concurs with this award. **PRIOR APPROVAL REQUESTED.**

   John Suarez moved approval of award for Improvement Resolution #6930-03, North Highlands Neighborhood Improvement to Garcia Concrete Construction, Inc. in the amount of $120,368.05. Motion carried. Notice of award to be sent. Transportation Engineering Services to prepare contracts.

6. Approval of Board of Public Works Minutes of March 26, 2003 and Final Hearing Minutes of March 26, 2003 for Improvement Resolution #644-2001, Fleming/Maple Grove Sanitary Sewer Extension and Preliminary Hearing Minutes for Improvement Resolution #6929-03, Reserve Line Road.

   John Suarez moved approval of Board of Public Works Minutes of March 26, 2003 and Final Hearing Minutes of March 26, 2003 for Improvement Resolution #644-2001, Fleming/Maple Grove Sanitary Sewer Extension and Preliminary Hearing Minutes for Improvement Resolution #6929-03, Reserve Line Road. Motion carried. Minutes approved.

7. Approval of Contract between the City of Fort Wayne and the Allen County Solid Waste Management District for Participation in The Allen County Solid Waste Management District Yard Waste Management Program.

   Matt Gratz, Solid Waste Dept. apprised the Board that this is an annual contract and the only changes are as follows:

   - Number of total hours that the district will grind has been change from 400 hours to 300 hours.
   - District increased the City's subsidy from $6.00 to $6.50 a ton.

   John Suarez moved approval of Contract between the City of Fort Wayne and the Allen County Solid Waste Management District for Participation in The Allen County Solid Waste Management District Yard Waste Management Program. Motion carried. Contract to be placed on file in vault.

8. Approval of Agreement Between the City of Fort Wayne and the Fort Wayne Parks and Recreation Department allocating $200,000.00 of At-Large designated CEDIT funds for the purchase of capital items and related infrastructure necessary to support the construction and installation of an ice rink in Headwaters Park.

   John Suarez moved approval of Agreement Between the City of Fort Wayne and the Fort Wayne Parks and Recreation Department allocating $200,000.00 of At-Large designated CEDIT funds for the purchase of capital items and related infrastructure necessary to support the construction and installation of an ice rink in Headwaters Park. Motion carried. Copy to be placed on file in vault.

9. **IMPROVEMENT RESOLUTION #6941-03,** Alley Reconstruction, Nussbaum.

   Mario Trevino, Transportation Engineering Services apprised the Board that this improvement is for the following:

   The east/west alley from the Spy Run Creek to Spy Run Avenue, and between Nussbaum Avenue and Elizabeth Street by construction of a new 10' concrete alley, drive approaches, stone berm

where applicable, rehabilitation of storm sewers, and mulched seeding restoration. The cost for concrete alley pavement, drive approaches, stone berm, and mulched seeding restoration shall be assessed 75% on the real estate and 25% on the City and the cost for storm sewers rehabilitation shall be assessed 100% on the City.

John Suarez moved approval of Improvement Resolution #6941-03. Motion carried. Copy to be herein incorporated. Hearing to be scheduled.

10. Approval of Construction Contract #6916-03 between Garcia Concrete Construction and the City of Fort Wayne for Hoevelwood Civic Neighborhood – 2003 in the amount of $36,548.00.

John Suarez moved approval of Construction Contract #6916-03 between Garcia Concrete Construction and the City of Fort Wayne for Hoevelwood Civic Neighborhood – 2003 in the amount of $36,548.00. Motion carried. Notice to proceed to be sent.

11. Recommendation received from Planning & Design to reject the bids for the Electrical Modifications for Portable Emergency Generator at Booster Station due to the bids being greater than the amount budgeted for the project.

John Suarez moved to reject the bids for the Electrical Modifications for Portable Emergency Generator at Booster Station. Motion carried. Project to be rebid.

12. **IMPROVEMENT RESOLUTION #1533-2003,** Indian Village Phase I – Water Main Replacement.

Matthew Wirtz, Planning & Design Services, said that this Resolution orders the construction of approximately 6300 LF of 6" & 8" water main, 14 fire hydrants, 106 services, and all other appurtenances necessary for this project.

John Suarez moved approval of MPROVEMENT RESOLUTION #1533-2003, Indian Village Phase I – Water Main Replacement. Motion carried. Copy to be herein incorporated. Bids to be received on 4/16/03.

13. Approval of Professional Services Agreement between the City of Fort Wayne and Dodzik Engineering Inc. for the design of Hobson: State to Vance – Water Main Replacement. The not-to-exceed amount for this contract is $29,800.00. Planning and Design Services recommend approval.

Matthew Wirtz, Planning & Design Services, stated that this project is for water main improvements consisting of water main replacement along Hobson Road, from State to Vance. The project will include the replacement of approximately 2,650 ft of existing 6" water main with all new services and appurtenances.

John Suarez moved approval of Professional Services Agreement between the City of Fort Wayne and Dodzik Engineering Inc. for the design of Hobson: State to Vance – Water Main Replacement. Motion carried. Copy to be placed on file in vault. Notice to proceed to be sent.

14. Approval of Professional Services Agreement between the City of Fort Wayne and Bonar Group for the design of the Lexington Avenue Area Partial Sewer Separation. The cost of the work is a lump sum of $30,700.00. Planning & Design Services recommend approval.

Pat Callahan, Planning & Design Services, stated that this project is part of the Combined Sewer Capacity Improvement Program. It will remove storm water from the Rudisill combined sewer and will reduce basement backups and sewer overflows in the sewer subbasins.

John Suarez moved approval of Professional Services Agreement between the City of Fort Wayne and Bonar Group for the design of the Lexington Avenue Area Partial Sewer Separation. Motion carried. Copy to be placed on file in vault. Notice to proceed to be sent.

15. Approval of Construction Contract #657-2002 between J & L Construction and the City of Fort Wayne for Wayne Township Natural Drain #4 in the amount of $143,572.50 and Escrow Agreement for same. First Bank of Berne is the Escrow Agent.

John Suarez moved approval of Construction Contract #657-2002 between J & L Construction and the City of Fort Wayne for Wayne Township Natural Drain #4 in the

amount of $143,572.50 and Escrow Agreement for same. Motion carried. Contract to be sent to City Council.

16. Approval of recommendation received from Engineering Support Services to accept the work performed by Liberty Construction, Inc. on Water Contract #2002-W-20, McMillen Park Water Main Extension as an integral part of the City's water distribution system.

John Suarez moved approval of recommendation received from Engineering Support Services to accept the work performed by Liberty Construction, Inc. on Water Contract #2002-W-20, McMillen Park Water Main Extension as an integral part of the City's water distribution system. Motion carried. Acceptance letter to be sent.

17. Approval of recommendation received from Engineering Support Services to accept the work performed by Fleming Excavating on Sewer Contract #644-2001, Fleming/Maple Grove Sewer Extension as an integral part of the City's sanitary sewer system.

John Suarez moved approval of recommendation received from Engineering Support Services to accept the work performed by Fleming Excavating on Sewer Contract #644-2001, Fleming/Maple Grove Sewer Extension as an integral part of the City's sanitary sewer system. Motion carried. Acceptance letter to be sent.

18. Approval of write-off received from City Utilities for delinquent revenue accounts for January 2003 in the amount of $32,825.46.

John Suarez moved approval of write-off received from City Utilities for delinquent revenue accounts for January 2003 in the amount of $32,825.46. Motion carried. Write-offs to be sent to a collection agency.

19. Approval of Barrett Law Claims in the amount of $30,814.22.

John Suarez moved approval of Barrett Law Claims in the amount of $30,814.22. Motion carried. Barrett Law Claims to be sent to the Department of Finance.

20. Approval of General Accounting Claims in the amount of $3,881,241.24.

John Suarez moved approval of General Accounting Claims in the amount of $3,881,241.24. Motion carried. Claims to be sent to the Department of Finance.

21. Old Business:

None.

22. New Business:

None.

Meeting adjourned at 9:25 a.m.

~~Greg Meszaros, Chairman~~

John Suarez, Member

Denise Porter-Ross, Member

ATTEST:

Carolyn S. Newport, Clerk

BOARD OF STORMWATER MANAGEMENT
ROOM 250—OMNI ROOM
MEETING HELD AT 10:05 A.M.

GREG MESZAROS, CHAIRMAN
JOHN SUAREZ, MEMBER
DENISE PORTER-ROSS, MEMBER

CAROLYN S. NEWPORT, CLERK

PRESENT: All Members & Clerk, BOW; Greg Meszaros, Director, Division of Public Works; David Ross, City Engineer; Kristine Degabriele, Associate City Attorney; Mario Trevino, Transportation Engineering Services; Ken Nicolet, Customer Relations, Board of Public Works/City Utilities; Ron Sheppard & Dan Smith, Engineering Support Services; Mark Gensic, Pat Callahan, Matthew Wirtz & Mike Thornson, Planning & Design; George Cook, Traffic/Street Light Engineering; Jack Suter & Nancy Townsend, Development Services; Ed Foss, President, All Star Construction.

1. Approval of Board of Stormwater Minutes of April 2, 2003.
John Suarez moved approval of Board of Stormwater Minutes of April 2, 2003. Motion carried. Minutes approved.

2. Approval of Change Order #2 received from Crosby Excavating for Contract #665-02, North Drive-Reed Road Storm Sewer increasing the contract amount by $10,870.00. The original contract price was $327,602.50. The new contract price including this change order is $343,326.90.

   Ron Sheppard, Engineering Support Services stated that this increase is due to adjustments required to match as-built final quantities and new items which address field changes required to complete the project.
   Denise Porter-Ross moved approval of Change Order #2 received from Crosby Excavating for Contract #665-02, North Drive-Reed Road Storm Sewer increasing the contract amount by $10,870.00. Motion carried. Contract price to be increased.

3. Approval of recommendation received from Engineering Support Services to accept the work performed by Scheidleman Excavating, Inc. on Storm Sewer Contract #2002-ST-04, Canyons of North Pointe Woods Sec. I as an integral part of the City's storm drainage system.
   Denise Porter-Ross moved to accept the work performed by Scheidleman Excavating, Inc. on Storm Sewer Contract #2002-ST-04, Canyons of North Pointe Woods as an integral part of the City's storm drainage system. Motion carried. Acceptance letter to be sent.

4. Old Business:

   None.

5. New Business:

Approval of Amendment No. 2 to Agreement between the City of Fort Wayne, Indiana an Paul I. Cripe, Inc. for the Royal Oaks Area Stormwater System Improvements.

Mike Hicks, Planning & Design said that this Amendment is for design services for addressing an alternative outfall for the East Phase project due to Indiana Department of Natural Resources restrictions.

Denise Porter-Ross moved approval of Amendment No. 2 to Agreement between the City of Fort Wayne, Indiana an Paul I. Cripe, Inc. for the Royal Oaks Area Stormwater System Improvements. Motion carried. Copy to be placed on file in vault. Notice to proceed to be sent.

Meeting adjourned at 10:10 a.m.

Greg Meszaros, Chairman

John Suarez, Member

Denise Porter-Ross, Member

ATTEST: Carolyn S. Newport, Clerk

BOARD OF PUBLIC WORKS
ROOM 250—OMNI ROOM
MEETING HELD AT 9:00 A.M.

ROBERT P KENNEDY, MEMBER
JOHN SUAREZ, MEMBER
DENISE PORTER-ROSS, MEMBER

CAROLYN S. NEWPORT, CLERK

PRESENT: All Members & Clerk, BOW; Greg Meszaros, Director, Division of Public Works; David Ross, City Engineer; Kristine Degabriele, Associate City Attorney; Mario Trevino, Transportation Engineering Services; Ken Nicolet, Customer Relations, Board of Public Works/City Utilities; Ron Sheppard & Dan Smith, Engineering Support Services; Mark Gensic, Pat Callahan, Matthew Wirtz & Mike Thornson, Planning & Design; George Cook, Traffic/Street Light Engineering; Jack Suter & Nancy Townsend, Development Services; Ed Foss, President, All Star Construction.

Greg Meszaros apprised the Board of the following: he would no longer be serving as Chairman of the Board of Public Works due to a residency requirement. He will still be serving as Chairman of the Board of Stormwater Management and Director of the Division of Public Works.

Mr. Meszaros introduced a new Board Member, Robert P. Kennedy.

Denise Porter-Ross moved to have Greg Meszaros as a moderator and advisor to the Board at the Board of Public Works Meetings. Motion carried.

1. **RECEIVE BIDS: Resolution# 6906-02:** Philley Avenue/ Weisser Park.

BIDDERS	BASE BID
Benchmark Construction, Inc.	$139,136.00
Brooks Construction Co., Inc.	$148,317.75
Hipskind Concrete	$136,109.00
Primco, Inc.	$131,233.37
Wayne Asphalt	**$127,752.00**
Engineers Estimate	**$188,807.50**

Transportation Engineering Services to tabulate and report.

2. **RECEIVE BIDS: Resolution# 6911-03: Inwood Drive:** State to Vance: Inwood Court: Inwood Drive to Terminus: Lynwood Court: Inwood Drive to Terminus.

BIDDERS	BASE BID
All Star Construction	**$580,793.94**
Wayne Asphalt	$645,000.00
Engineers Estimate	**$615,648.00**

Transportation Engineering Services to tabulate and report.

3. **RECEIVE BIDS:** Vehicle & Equipment Lease Financing.

Bids were received from the following:

Ashford Capital Corp.

Bank of America

Fifth Third Bank

Key Municipal Finance

Koch Municipal Finance

National City

Star Financial

Wells Fargo Brokerage Svcs.

Controllers Office to tabulate and report.

4. **AWARD:** Improvement Resolution #6923-03, Miscellaneous Package 5-A-03 to G. E. Minear Construction in the amount of $11,677.00. Contract Compliance concurs with this award.

Denise Porter-Ross moved approval of AWARD for Improvement Resolution #6923-03, Miscellaneous Package 5-A-03 to G. E. Minear Construction in the amount of $11,677.00. Motion carried. Notice to award to be sent. Transportation Engineering Services to prepare contracts.

5. **AWARD:** Improvement Resolution #6928-03, Miscellaneous Package 3-A-03 to Widner Paving in the amount of $15,027.00. Contract Compliance concurs with this award.

John Suarez moved approval of AWARD for Improvement Resolution #6928-03, Miscellaneous Package 3-A-03 to Widner Paving in the amount of $15,027.00. Motion carried. Notice to award to be sent. Transportation Engineering Services to prepare contracts.

6. Review of Improvement Resolution #1515-03, Camp Scott Excess Outfall Bid. This was tabled from March 26, 2003.

Denise Porter-Ross apprised the Board of the following: she had reviewed the typical construction contract and that it states in Article 2,under The Contract Sum, the owner shall pay the contractor for the performance of the contract in the total amount of the project. In the event of the work to be increased or decreased by the owner, the contract sum shall be increased or decreased according to the unit price schedule set forth in the contractor's proposal. All Star's unit price was $355.00 and their total price was $502,590.00. Denise Porter-Ross inquired if Ed Foss, President, All Star Construction would perform the work at $355.00 and he said that he could not afford to perform the work at that price. Denise suggested that if the contractor is unwilling to construct the project for the unit price as listed in the bid, that the Board consider All Star unresponsive.

There was a question from the Board regarding releasing the bid bond.

Pat Callahan said that typically if the contractor makes an honest error, they should not be penalized and the bond returned.

John Suarez moved to declare the bid unresponsive and release the bid bond since All Star was not willing to construct the project for the unit prices and moved to award Improvement Resolution #1515-03 to the second low bidder, Land Inc. in the amount of $504,815.00. Denise Porter-Ross seconded. Motion carried. Notice of Award to be sent to Land, Inc. Transportation Engineering Services to prepare contracts.

Denise Porter-Ross emphasized that the City needs to rework the City bid documents and contracts.

Ed Foss apologized for the mistake and said that he appreciated the Board's consideration.

7. Approval of Board of Public Works Minutes of April 2, 2003.

Denise Porter-Ross moved Approval of Board of Public Works Minutes of April 2, 2003. Motion carried. Minutes approved.

8. Approval of Amendment to the Petition Process Resolution.

George Cook, Traffic Engineering/Street Light Engineering, stated that most of the proposed revisions are basically in Section IIB, Street Lights. There are minor corrections to Section I B and I E. Mr. Cook said that a portion of the revisions are related to street lights in newly annexed areas and several of the 2003 Capital Improvement Projects are in three areas and could be affected by the revisions to the resolution.

The Proposed revisions to Section II B are summarized as follows:

- Clarification that signatures are required from property owners of at least 60% of the real property footage.
- Clarification of cost sharing to include underground wiring for standard overhead street lighting when no neighborhood covenant exists prohibiting overhead wiring.
- Better description of ornamental street lighting and clarifying cost responsibility for ornamental lighting beyond that description.
- Allowing more flexibility for intersection lighting in neighborhoods.
- Better definition of City commitment for street lighting in newly annexed areas and allowing more flexibility for intersection lighting.
- Increasing the percentage of property owners required to sign a petition for no lighting in part or all of newly annexed neighborhoods.

Denise Porter-Ross moved Approval of Amendment to the Petition Process Resolution. Motion carried. Copy to be herein incorporated.

9. Approval of Hold Harmless Agreement received from Poets Café, Inc. D.B.A. Columbia Street West and the City of Fort Wayne for a period beginning May 1, 2003 and continuing through close of business on Oct. 31, 2003 for a sidewalk restaurant at 135 West Columbia Street.

Denise Porter-Ross moved Approval of Hold Harmless Agreement received from Poets Café, Inc. D.B.A. Columbia Street West and the City of Fort Wayne for a period beginning May 1, 2003 and continuing through close of business on Oct. 31, 2003 for a sidewalk restaurant at 135 West Columbia Street. Motion carried. Copy to be herein incorporated.

10. **IMPROVEMENT RESOLUTION #6936-03,** Pontiac Street & Wayne Trace Intersections.

David Ross, City Engineer, said that this improvement is for the following: Pontiac Street & Wayne Trace Intersections by the complete replacement of existing pavement within the project limits; reconfigurement of roadway alignments to create 2 roundabouts, one on each side of railroad viaduct; Lower Pioneer Street under railroad to provide a 14 foot clearance; install new storm sewer system connecting to existing 54" storm sewer; construct curb, gutters, sidewalk and curb ramps; minor repairs to bridge structure surface; landscaping and other related roadway work.

John Suarez moved IMPROVEMENT RESOLUTION #6936-03, Pontiac Street & Wayne Trace Intersections. Motion carried. Copy to be herein incorporated. Bids to be received on April 30, 3002.

11. **IMPROVEMENT RESOLUTION #6940-03,** Colonial Heritage.

Mario Trevino, Transportation Engineering Services, said that this is for the improvement of Colonial Heritage Addition – Streets: Cloverbrook Drive 4334-5408, and Yorkshire Drive 5009-5019, 5407-5417 by reconstruction of roadway, I.E. cement concrete paving patching; which includes: pavement restoration, including integral curbs, construction of underdrain, reconstruct affected residential drive approaches, rehabilitate storm sewer structures, mulched seeding restoration.

John Suarez moved IMPROVEMENT RESOLUTION #6940-03, Colonial Heritage. Motion carried. Copy to be herein incorporated. Bids to be received on April 30, 2003.

12. **IMPROVEMENT RESOLUTION #6942-03,** Mount Vernon Park.

Mario Trevino, Transportation Engineering Services, said that this Resolution is for the improvement of Mount Vernon Park by reconstruction of sidewalks, curbs, drive approaches, ADA ramps, type 1-C catch basin, 12" concrete R.C.P. pipe, and seed mulched restoration.

John Suarez moved IMPROVEMENT RESOLUTION #6942-03, Mount Vernon Park. Motion carried. Motion carried. Copy to be herein incorporated. Bids to be received on April 30, 2003.

13. **IMPROVEMENT RESOLUTION #6943-03,** Avalon Addition.

Mario Trevino, Transportation Engineering Services, said that this Resolution is for the improvement of Avalon Addition by reconstructing the existing concrete pavement, drive approaches and curb ramps on Avalon Street from Lower Huntington Road to Pacific Drive and on Knightswood Drive from Lower Huntington Road to Pacific Drive.

John Suarez moved approval of IMPROVEMENT RESOLUTION #6943-03, Avalon Addition. Motion carried. Copy to be herein incorporated. Bids to be received on April 30, 2003.

14. Approval of Construction Contract #6931-03 between Newell Construction Co., Inc. and the City of Fort Wayne for East Central Neighborhood Improvements in the amount of $42,820.00.

Denise Porter-Ross moved Approval of Construction Contract #6931-03 between Newell Construction Co., Inc. and the City of Fort Wayne for East Central Neighborhood Improvements in the amount of $42,820.00. Motion carried. Notice to proceed to be sent.

15. **IMPROVEMENT RESOLUTION #1554-2002,** 4700 Block Stellhorn Road Sanitary.

Nancy Townsend, Development Services, said that this Resolution orders the construction of approximately 315 lf of 8" sanitary sewer with appurtenances to serve 3 residential properties on the north side of Stellhorn Road, west of Reed Road. Ms. Townsend said that the fees are waived for Thomas & Jean DeHaven of 4727 Stellhorn Road since they had previously hired a engineering firm to assess the problem. Ms. Townsend said that she had copies of checks verifying the costs.

Denise Porter-Ross moved IMPROVEMENT RESOLUTION #1554-2002, 4700 Block Stellhorn Road Sanitary. Motion carried. Copy to be herein incorporated. Hearing to be scheduled.

16. Approval of Change Order #1 received from Geiger Excavating for Improvement Resolution #670-2002, Independence Drive Interceptor Sewer decreasing the contract price by $8,350.46. The original contract price was $249,241.80. The new contract price including this change order is $240,891.34.

Dan Smith, Engineering Support Services, said that this change order is due to the following:

I. More riprap was required to neaten up the ditch bank.

II. Increase in the parking lot replacement.

III. Work allowance was not needed on this project.

IV. Minor quantity adjustments.

John Suarez moved Approval of Change Order #1 received from Geiger Excavating for Improvement Resolution #670-2002, Independence Drive Interceptor Sewer decreasing the contract price by $8,350.46. Motion carried. Contract price to be increased.

17. Approval of **RESOLUTION** amending the Resolution passed by the Board of Public Works on September 5, 2001 establishing an Equivalent Residential Unit as a measure for assessing Area Connection Fees.

Jack Suter, Development Services, stated that the Amended Resolution specifies that if state standards are not specific identifying average daily flows for sewage, other data such as water usage and other available information may be consulted in determining an estimated average daily flow.

Denise Porter-Ross moved Approval of RESOLUTION amending the Resolution passed by the Board of Public Works on September 5, 2001 establishing an Equivalent Residential Unit as a measure for assessing Area Connection Fees. Motion carried. Copy herein incorporated.

18. Approval of Release of Restrictive covenants.

Jack Suter, Development Services, said that in 1996, HBC Realty Corporation recorded restrictive covenants preventing the development of 30 acres real estate in an area known as Baer Field Industrial Parks. This action was undertaken since the area was within an area that was designated as the "Red Zone". The covenants required that upon removal of the real estate from the red zone, HBC and the Board would record a release of the restrictions. The area was removed from the red zone in 1998. A release was not recorded. Action by the Board on the release will correct that situation.

Denise Porter-Ross moved approval of Release of Restrictive covenants. Motion carried. Copy to be placed on file in vault.

19. Approval of Amended Water Contract #2002-W-22 between Indiana Air National Guard and the Fort Wayne Water Utility to construct water main systems to serve Air Guard Water Main Replacement. This project is located inside the City of Fort Wayne (PRIVATELY FUNDED);

Jack Suter, Development Services, said that the contributor wished to amend the length of pipe to be installed by adding additional 12" pipe, a hydrant and reduce the amount of 8" pipe as was shown on the original contract.

John Suarez moved approval of Amended Water Contract #2002-W-22 between Indiana Air National Guard and the Fort Wayne Water Utility to construct water main systems t serve Air Guard Water Main Replacement. This project is located inside the City of Fort Wayne (PRIVATELY FUNDED); Motion carried.

20. Approval of Amended Sanitary Sewer Contract #2003-S-02 between Emerald Pointe, LLC and the Fort Wayne Water Pollution Control Utility to construct a local sanitary sewer system to serve Emerald Pointe. This project is inside the City and is in a green zone (PRIVATELY FUND).

Jack Suter, Development Services, stated that the contract was being amended to permit the extension of an addition 200 feet of pipe to serve properties on the north side of Cook Road.

Denise Porter-Ross moved approval of Amended Sanitary Sewer Contract #2003-S-02 between Emerald Pointe, LLC and the Fort Wayne Water Pollution Control Utility to construct a local sanitary sewer system to serve Emerald Pointe. This project is inside the City and is in a green zone (PRIVATELY FUND). Motion carried.

21. Approval of Claims in the amount of $7,058,292.78;

John Suarez moved Approval of Claims in the amount of $7,058,292.78. Motion carried. Claims to be sent to the Department of Finance.

22. Old Business:

None.

23. New Business:

None.

Meeting adjourned at 10:00 a.m.

John Suarez, Member

Denise Porter-Ross, Member

Robert P. Kennedy, Member

ATTEST

Carolyn S. Newport, Clerk

April 9, 2003

Board of Public Works
Hearing held at 10:10 a.m.
Omni Room – Room 250

John Suarez, Member
Denise Porter-Ross, Member
Robert P. Kennedy, Member

Carolyn S. Newport, Clerk

PRESENT: All Members & Clerk, BOW; Nancy Townsend, Development Services; Pat Callahan, Planning & Design; Marj Enders, Barrett Law Accountant.

1. Preliminary Hearing to amend, rescind, or confirm Improvement Resolution #1566-03, Effie Drive/Wallen Road Sanitary Sewer.

   Nancy Towsend, Project Manager explained the scope of the work.

   Marj Enders explained the Barrett Law process.
   John Suarez moved to confirm Improvement Resolution #1566-03. Motion carried. Project to go forward.

Meeting adjourned at 10:20 a.m.

John Suarez, Member

Denise Porter-Ross, Member

Robert P. Kennedy, Member

ATTEST: Carolyn S. Newport
Carolyn S. Newport, Clerk

April 9, 2003

Board of Public Works
Room 250 - Omni Room
Hearing held at 10:15 a.m.

John Suarez, Member
Denise Porter-Ross, Member
Robert P. Kennedy, Member

ATTEST: Carolyn S. Newport, Clerk

PRESENT: All Members & Clerk; Marj Enders, Barrett Law Accountant; Brian Kiess, Project Engineer, Transportation Engineering Services.

1. Preliminary Hearing to confirm Improvement Resolution #6932-2003, Gilbert Drive: Deforest Ave. to Kimberley Road.
   Denise Porter-Ross moved to confirm Improvement Resolution #6932-03. Motion carried. Remonstrance period up on April 23, 2003.

Hearing adjourned at 10:20 a.m.

John Suarez, Member

Denise Porter-Ross, Member

Robert P. Kennedy, Member

ATTEST: Carolyn S. Newport
Carolyn S. Newport, Clerk

7. Approval of Secondary Subdivision Plat for Creekwood Section III.
Denise Porter-Ross moved approval of Secondary Plat for Creekwood Section III. Motion carried. Plat to be sent to the Fort Wayne Planning Commission.

8. **AWARD:** Improvement Resolution #6906-03, Philley Avenue/Weisser Park to Wayne Asphalt in the amount of $127,752.00. Contract Compliance concurs with this award. **PRIOR APPROVAL REQUESTED.**
Denise Porter-Ross moved approval of AWARD for Improvement Resolution #6906-03, Philley Avenue/Weisser Park to Wayne Asphalt in the amount of $127,752.00. Motion carried. Notice of award to be sent. Transportation Engineering Services to prepare contracts.

9. **AWARD:** 2003 Vehicle Lease Financing to Fifth Third Bank, who submitted the second lowest cost to the City of $189,902.00 on principal borrowings of $2,700,000 (5 year term, semi-annual payments). The bidder who submitted the lowest cost to the City was disqualified due to an incomplete response per the request for proposal.

Valerie Breen explained that the bidder who submitted the lowest cost to the City was disqualified due to an incomplete response per the request for proposal.
Denise Porter-Ross moved approval of AWARD for 2003 Vehicle Lease Financing to Fifth Third Bank, who submitted the second lowest cost to the City of $189,902.00 on principal borrowings of $2,700,000 (5 year term, semi-annual payments). Motion carried. City Council to ratified this award.

10. **IMPROVEMENT RESOLUTION #284-03,** St. Joe Center Road (Concordia Dr. to St. Joe River) Street Lighting.

Al Lichtsinn, Street Light Engineering, stated that this project involves installing 35 foot aluminum poles with 400W high-pressure sodium lights and underground wire on St. Joe Center Road from Concordia Drive to St. Joe River.
Denise Porter-Ross moved approval of IMPROVEMENT RESOLUTION #284-03, St. Joe Center Road (Concordia Dr. to St. Joe River) Street Lighting. Motion carried. Copy to be herein incorporated.

11. **IMPROVEMENT RESOLUTION #286-03,** Lima Road (Coliseum Blvd. to Ley Road). Street Lighting.

All Lichtsinn, Street Light Engineering, stated that this project is for an installing of 35 foot aluminum poles with 400W high-pressure sodium lights and underground wire on both sides of Lima Road from Coliseum Blvd. to Ley Road.
Denise Porter-Ross moved approval of IMPROVEMENT RESOLUTION #286-03, Lima Road (Coliseum Blvd. to Ley Road). Street Lighting. Motion carried. Copy to be herein incorporated.

12. **IMPROVEMENT RESOLUTION #6944-03,** Arlington Avenue: Oakdale to Rudisill.

Mario Trevino, Transportation Engineering Services, said that this improvement is for Arlington Avenue from Rudisill Blvd. to Oakdale Drive by reconstruction the existing roadway with new bituminous pavement, reconstructing curbing, drive approaches and sidewalks and rehabilitation of the existing storm structure system.
Denise Porter-Ross moved approval of IMPROVEMENT RESOLUTION #6944-03, Arlington Avenue: Oakdale to Rudisill. Motion carried. Copy to be herein incorporated. Bids to be received on 5/7/03.

13. **IMPROVEMENT RESOLUTION #6946-03,** Barthold Street: Third Street to Spring Street.

Mario Trevino, Transportation Engineering Services, said that this improvement is for Barthold Street: Third Street to Spring Street by milling and resurfacing street with asphalt, construction of new concrete curbs, alley approaches yardwalks, and spot sidewalk in the 1400 block (Third St. to Fourth St.), as well as new curb ramp construction in the 1500 block (Fourth St. to Spring St.) at Fifth Street, and by adding and replacing existing sewer structures, plus mulched seeding and restoration.
Denise Porter-Ross moved approval of IMPROVEMENT RESOLUTION #6946-03, Barthold Street: Third Street to Spring Street. Motion carried. Copy to be herein incorporated. Bids to be received on 5/7/03.

14. **IMPROVEMENT RESOLUTION #6949-03,** Crown Colony.

Mario Trevino, Transportation Engineering Services said that this Resolution is to improve Crown Colony Addition – Streets: Melvern Drive (at Strathdon Dr.) 6700 to 6910 block, Whiteford Lane – 4312 to 4337, and 4606 to 4507; by reconstruction of roadway, i.e. cement concrete pavement patching; which includes; pavement restoration, including integral curbs, construction of under-drain (Melvern Dr.), reconstruct affected residential drive approaches, rehabilitate storm sewer structures, mulched seeding restoration.
Denise Porter-Ross moved approval of IMPROVEMENT RESOLUTION #6949-03, Crown Colony. Motion carried. Copy to be herein incorporated. Bids to be received on 5/7/03.

15. Approval of Construction Contract #6926-03, between the City of Fort Wayne and API Construction Corp for Huguenard Road: Washington Center Road to Ludwig Road in the amount of $750,868.94.
Denise Porter-Ross moved approval of Construction Contract #6926-03, between the City of Fort Wayne and API Construction Corp for Huguenard Road: Washington Center Road to Ludwig Road in the amount of $750,868.94. Motion carried. Contract to be sent to City Council.

16. Approval of Escrow Agreements between the City of Fort Wayne and Wayne Asphalt for Improvement Resolution #6907-03, Paulding Road and for Improvement Resolution 6910-03, Resurfacing Package 2-2003. Fifth Third Bank is the Escrow Agent.
Denise Porter-Ross moved approval of Escrow Agreements between the City of Fort Wayne and Wayne Asphalt for Improvement Resolution #6907-03, Paulding Road and for Improvement Resolution 6910-03, Resurfacing Package 2-2003. Motion carried. Copies to be sent to the Escrow Agent.

17. Approval of proposal received from Alt & Witzig Engineering, Inc. to provide geotechnical investigation and analysis professional services for Wayne Trace: Oxford Street to McKee Street. The fee for these services is $7,665.93. City Engineering recommends approval.

David Ross, City Engineer, stated that the geotechnical professional services will be funded 100% locally and it is his understanding that this cost is eligible for credit towards the local cost share for the construction phase.
Denise Porter-Ross moved approval of proposal received from Alt & Witzig Engineering, Inc. to provide geotechnical investigation and analysis professional services for Wayne Trace: Oxford Street to McKee Street. Motion carried. Copy to be placed on file in vault.

18. Approval of Encroachment License Agreement between the City of Fort Wayne and Veer, Inc. to place a sign to encroach into the right of way at 4244 S. Anthony. The Encroachment License Agreement Committee recommends approval.
Denise Porter Ross moved approval of Encroachment License Agreement between the City of Fort Wayne and Veer, Inc. to place a sign to encroach into the right of way at 4244 S. Anthony. Motion carried. Sign to be constructed.

19. Approval of Utility Registration Statement for use of City rights-of-way received from Northern Indiana Fuel & Light Co., Inc. to place a gas distribution system.

Denise Porter-Ross stated that this Utility Registration State is for use of City rights-of-way for the Pine Valley area.
Denise Porter-Ross moved approval of Utility Registration Statement for use of City rights-of-way received from Northern Indiana Fuel & Light Co., Inc. to place a gas distribution system. Motion carried. Copy to be placed on file in vault.

20. Approval of Construction Contract #625-2001 between the City of Fort Wayne and Geiger Excavating for Rothman Road Pump Station & Force Main the amount of $1,075,273.00. **PRIOR APPROVAL REQUESTED.**
Denise Porter-Ross moved approval of Construction Contract #625-2001 between the City of Fort Wayne and Geiger Excavating for Rothman Road Pump Station & Force Main the amount of $1,075,273.00. Motion carried. Contract to be sent to City Council.

21. Approval of Construction Contract #666-2003 between the City of Fort Wayne and Earth Construction for Sheridan Road Sanitary Sewer Extension in the amount of $49,890.00.
Denise Porter-Ross moved approval of Construction Contract #666-2003 between the City of Fort Wayne and Earth Construction for Sheridan Road Sanitary Sewer Extension in the amount of $49,890.00. Motion carried. Notice to proceed to be sent.

22. Approval of Change Order #1 received from All Star Construction for Improvement Resolution #1100-02, Charlotte Avenue Water Main increasing the contract amount by $29,240.00. The original contract price was $250,744.90. The new contract price including this change order is $279,984.98.

Ron Sheppard, Engineering Support Services, explained that this Change Order is due to the following:

(1) Test risers need to be fused on HDPE Pipe, maintenance cannot do.
(2) Temp hydrant install at west end for testing because of existing configurations of water main.
(3) Extra concrete to repair street, mostly curb in one block of Charlotte.
(4) Contractor had to install lead transition behind curb box for 6 homes.
(5) Hydrant to be relocated was not restrained, had to move totally.
(6) Installed approx. 80' of 12" storm & inlet to pick up low area of chronic standing water on Charlotte.

Denise Porter-Ross moved approval of Change Order #1 received from All Star Construction for Improvement Resolution #1100-02, Charlotte Avenue Water Main increasing the contract amount by $29,240.00. Motion carried. Contract price to be increased.

23. Approval of recommendation received from Engineering Support Services to accept the work performed by Bercot, Inc. on Resolution #89-209-30, Essex Emergency Water Main Installation as an integral part of the City's water distribution system.
Denise Porter-Ross moved approval of recommendation received from Engineering Support Services to accept the work performed by Bercot, Inc. on Resolution #89-209-30, Essex Emergency Water Main Installation as an integral part of the City's water distribution system. Motion carried. Acceptance letter to be sent.

24. Approval of Barrett Law Claims in the amount of $322.64.
Denise Porter-Ross moved approval of Barrett Law Claims in the amount of $322.64. Motion carried. Barrett Law Claims to be sent to the Department of Finance.

25. Approval of General Accounting Claims in the amount of $3,681,817.06.
Denise Porter-Ross moved approval of General Accounting Claims in the amount of $3,681,817.06. Motion carried. General Accounting Claims to be sent to the Department of Finance.

26. Old Business:

None.

27. New Business:

None.

Meeting adjourned at 9:30 a.m.

Robert P. Kennedy, Chairman

John Suarez, Member

Denise Porter-Ross, Member

ATTEST: Carolyn S. Newport, Clerk

BOARD OF PUBLIC WORKS
ROOM 250—OMNI ROOM
MEETING HELD AT 9:00 A.M.

ROBERT P. KENNEDY, CHAIRMAN
JOHN SUAREZ, MEMBER
DENISE PORTER-ROSS, MEMBER

CAROLYN S. NEWPORT, CLERK

PRESENT: Robert P. Kennedy, Denise Porter-Ross, Carolyn Newport, BOPW; Greg Meszaros, Director, Board of Public Works; Kristine Dagabriele, Associate City Attorney; Davis Ross, City Engineer; Mario Trevino, Transportation Engineering Services; Al Lichtsinn, Street Light Engineering; Charles Bailey & Carl Wilson, Contract Compliance; Wayne O'Brien, City Planning; Ron Sheppard, Engineering Support Services, Valerie Brenn, Controller's Office; Mark Gensic, Doug Fasick, Mike Thornson, Planning & Design; Bill Simmons, Water Resources. John Suarez, absent.

Greg Meszaros, Director of Division of Public Works/Utilities, clarified the distinction between the Chairman of the Board of Public Works and the Director of Division of Public Works/Utilities. Denise Porter-Ross moved that Robert P. Kennedy would conduct the Board meeting as the Chairman, and Denise Porter-Ross and John Suarez to continue to serve as Members.

1. RECEIVE BIDS: Resolution# 03-03: Restoration of Water Pollution Control Maintenance (WPCM) Utility Cuts.

BIDDERS	BASE BID
Robbco, Inc.	**$71,279.30**
Engineers Estimate:	**$65,369.50**

Water Resources to tabulate and report.

2. RECEIVE BIDS: Resolution# 1539-02: Electrical Modifications For Portable Emergency Generator At Water Booster Stations.

BIDDERS	BASE BID	Alternate#1 Use of City's 300 kW portable generator	Alternate#2 Replace Pump #4's size 5 solid-state reduced voltage starter in MCC.
Henry Electric	$83,450.00	$1,500.00	$27,980.00
Votaw Electric	$92,526.00	$3,850.00	$9.575.00
Engineers Estimate:	**$92,349.60**	**$11,500.00**	**$**

3. **RECEIVE BIDS: Resolution# 6919-03: Pasadena Drive From Beaver Avenue To Tacoma Avenue By Constructing The Curbs, Sidewalks, Yard Walks, and Drive Approaches.**

BIDDERS	BASE BID
Brooks Construction Co., Inc.	$103,798.50
Garcia Concrete Construction	$111,003.00
Hipskind Concrete	**$77,897.50**
Key Concrete, Inc.	$91,280.00
Newell Construction Co., Inc.	$100,000.00
Primco, Inc.	$104,593.39
Engineers Estimate:	**$91,867.50**

Transportation Engineering Services to tabulate and report.

4. **RECEIVE BIDS: Resolution# 6933-03: Oakhurst Addition.**

BIDDERS	BASE BID
Brooks Construction Co., Inc.	$157,597.10
Garcia Concrete Construction	$162,205.00
Hipskind Concrete	$153,628.70
Key Concrete, Inc.	$138,098.50
Newell Construction Co., Inc.	**$126,677.92**
Primco, Inc.	$140,871.11
Engineers Estimate:	**$167,518.50**

Transportation Engineering Services to tabulate and report.

5. Approval of Board of Public Works Minutes of April 9, 2003 and Preliminary Hearing Minutes of April 9, 2003 for Improvement Resolution#1566-03, Effie Drive Sanitary Sewer and for Improvement Resolution #6932-03, Gilbert Drive: Deforest Avenue to Kimberley Road.
Denise Porter-Ross moved approval of Board of Public Works Minutes of April 9, 2003 and Preliminary Hearing Minutes of April 9, 2003 for Improvement Resolution#1566-03, Effie Drive Sanitary Sewer and for Improvement Resolution #6932-03, Gilbert Drive: Deforest Avenue to Kimberley Road. Motion carried. Minutes approved.

6. Approval of Irrevocable Letter of Credit received from Creekwood Developers, LLC for Creekwood Section III Development.
Denise Porter-Ross moved approval of Irrevocable Letter of Credit received from Creekwood Developers, LLC for Creekwood Section III Development. Motion carried. Copy to be placed on file until infrastructure is built.

April 16, 2003

Board of Public Works
Hearing held at 10:00 a.m.
Omni Room – Room 250

Robert P. Kennedy, Chairman
John Suarez, Member
Denise Porter-Ross, Member

Carolyn S. Newport, Clerk

PRESENT: All Members & Clerk, BOW; Greg Meszaros, Director, Division of Public Works/Utilities; Gary Ainslie, Transportation Engineering Services; Marj Enders, Barrett Law Accountant. John Suarez, absent.

1. Preliminary Hearing to confirm Improvement Resolution #6908-03, Miscellaneous Construction Pkg. 4-A-03.

   Denise Porter-Ross moved to confirm Improvement Resolution #6908-03. Motion carried. Hearing adjourned at 10:10 a.m.

   Another property owner arrived after the hearing was adjourned. Robert Kennedy reopened the hearing at 10:20 a.m.

   There were questions from the Board regarding the Preliminary Assessment Roll.
   Denise Porter Ross moved to rescind the confirmation of Improvement Resolution #6908-03. Motion carried. Denise Porter-Ross moved to table the Public Hearing for Improvement Resolution #6908-03 until more information is received. Motion carried. Public Hearing tabled.

Hearing adjourned at 10:25 a.m.

Robert Kennedy
Robert P. Kennedy, Chairman

John Suarez, Member

Denise Porter-Ross
Denise Porter-Ross, Member

ATTEST: Carolyn S. Newport
Carolyn S. Newport, Clerk

April 16, 2003

Board of Public Works
Hearing held at 10:15 a.m.
Omni Room – Room 250

Robert P. Kennedy, Chairman
John Suarez, Member
Denise Porter-Ross, Member

Carolyn S. Newport, Clerk

PRESENT: All Members & Clerk, BOW; Greg Meszaros, Director, Division of Public Works/Utilities; Gary Ainslie, Transportation Engineering Services; Marj Enders, Barrett Law Accountant. John Suarez, absent.

1. Preliminary Hearing to confirm Improvement Resolution #6917-03, Lincoln Park Neighborhood – 2003.

   Gary Ainslie, Project Engineer, explained the scope of the project.

   Gary Ainslie, Project Engineer, explained the scope of the project. Mr. Ainslie stated that a letter had been received from Rita M. and Norman D. Goshurt, 2615 Cambridge Blvd. stating that they wanted to add the driveway apron and 3 blocks of sidewalk

   Denise Porter-Ross moved to modify the Preliminary Assessment Roll to include the request from Rita M. and Norman D. Goshurt, at 2615 Cambridge Blvd. Motion carried.

   Denise Porter-Ross moved to confirm Improvement Resolution #6917-03. Motion carried. Remonstrance period to be up on 4/28/03.

Hearing adjourned at 10:20 a.m.

Robert P. Kennedy, Chairman

John Suarez, Member

Denise Porter-Ross, Member

ATTEST: Carolyn S. Newport, Clerk

APRIL 16, 2003

BOARD OF STORMWATER MANAGEMENT
ROOM 250—OMNI ROOM
MEETING HELD AT 9:30 A.M.

GREG MESZAROS, CHAIRMAN
JOHN SUAREZ, MEMBER
DENISE PORTER-ROSS, MEMBER

CAROLYN S. NEWPORT, CLERK

PRESENT: Robert P. Kennedy, Denise Porter-Ross, Carolyn Newport, BOPW; Greg Meszaros, Director, Board of Public Works; Kristine Dagabriele, Associate City Attorney; Davis Ross, City Engineer; Mario Trevino, Transportation Engineering Services; Al Lichtsinn, Street Light Engineering; Charles Bailey & Carl Wilson, Contract Compliance; Wayne O'Brien, City Planning; Ron Sheppard, Engineering Support Services, Valerie Brenn, Controller's Office; Mark Gensic, Doug Fasick, Mike Thornson, Planning & Deign; Bill Simmons, Water Resources. John Suarez, absent.

1. Approval of Board of Stormwater Management Minutes of April 9, 2003.
   Denise Porter-Ross moved approval of Board of Stormwater Management Minutes of April 9, 2003. Motion carried. Minutes approved.

2. Approval of Amended Resolution for the Petition Process.

   Greg Meszaros stated that this is the same Amended Resolution that was presented to the Board of Works last week but it also needs the Board of Stormwater Management signatures.
   Denise Porter-Ross moved approval of Amended Resolution for the Petition Process. Motion carried. Copy to be herein incorporated.

3. **IMPROVEMENT RESOLUTION #1551-03,** Vance Ave. – Reed Road Storm Drainage Improvement.

   Mike Thornson, Planning & Design Services, said that this Resolution orders the construction of approximately 670 LF of 12-inch storm sewer long the west right-of-way area of Reed Road in the vicinity of its intersection with Vance Avenue.
   Denise Porter-Ross moved approval of Improvement Resolution #1551-03. Motion carried. Copy to be herein incorporated.

4. **IMPROVEMENT RESOLUTION #1558-03,** IIT – Schick Street Storm Sewer Improvement.

   Mike Thornson, Planning & Design Services, said that this Resolution orders the construction of approximately 650 LF of 30-inch storm sewer along Schick Street and Wayne Street from Washington Blvd to Hanover Street and the connection of street inlets along the alignment of the new storm sewer. Mr. Thornson said that the Indiana Institute of Technology is the only outside contributor to the project, which would normally entitle them to a public hearing on the resolution; however, IIT has waived its right for public hearing and, therefore, no public hearing will be required for this Resolution.
   Denise Porter-Ross moved approval of Improvement Resolution #1558-IIT – Schick Street Storm Sewer Improvement. Motion carried. Copy to be herein incorporated.

5. Old Business:

   None.

6. New Business:

None.

Meeting adjourned at 9:45 a.m.

Greg Meszaros, Chairman

John Suarez, Member

Denise Porter-Ross, Member

ATTEST: _____
Carolyn S. Newport, Clerk

BOARD OF PUBLIC WORKS
ROOM 250—OMNI ROOM
MEETING HELD AT 9:00 A.M.

ROBERT P. KENNEDY, CHAIRMAN
JOHN SUAREZ, MEMBER
DENISE PORTER-ROSS, MEMBER

CAROLYN S. NEWPORT, CLERK

PRESENT: All Members & Clerk; Greg Meszaros, Director of Public Works/Utilities; David Ross, City Engineer; Mario Trevino, Transportation Engineering Services; Ken Nicolet, Customer Services, Public Works/Utilities; Justin Bruegger, Administrative Assistant, Board of Public Works; John Perlich, PIO; Dan Brenner, Property Manager; Charles Bailey & Carl Wilson, Contract Compliance; Chet Shastri, Filtration Plant; Jack Suter, Development Services; Kristine Degabriele, Assoc. City Attorney; Mark Gensic & Matthew Wirtz, Planning & Design.

1. RECEIVE BIDS: Resolution# 1533-03: Indian Village Phase I-Water Main Replacement.

BIDDERS	BASE BID
All Star Construction	**$357,033.40**
Miller Pipeline Corp.	$389,782.08
Engineers Estimate	**$370,000.00**

Engineering Support Services to tabulate and report.

2. RECEIVE BIDS: Resolution# 1553-03: Exterior Cleaning & Painting of 4 MG Northwest Concrete Ground Storage Water Tank & Pump Station.

BIDDERS	BASE BID
Baughman, Inc.	$39,985.00
Odle, Inc.	**$37,185.00**
Engineers Estimate	**$85,700.00**

Engineering Support Services to tabulate and report.

3. RECEIVE BIDS: Resolution#6929-03: Reserve Line Road: Lakewood to Cul-De-sac.

BIDDERS	BASE BID
Benchmark Construction	$61,000.00
Brooks Construction, Inc.	$63,125.50
Hipskind Concrete	$68,353.00
Wayne Asphalt	**$60,178.25**
Engineers Estimate	**$71,601.00**

IMPROVEMENT RESOLUTION NO. 6937-03
ARLINGTON PARK PHASE - II

RESOLVED BY THE BOARD OF PUBLIC WORKS OF THE CITY OF FORT WAYNE, INDIANA,

That it is deemed necessary to improve:
TEWEKSBURY COURT FROM TERMINUS EAST AND WEST TO POTOMAC DRIVE, AND POTOMAC DRIVE FROM NORTH ARLINGTON PARK BOULEVARD TO GREENWICH COURT BY SPOT REPLACEMENT OF CONCRETE PAVEMENT, DRIVE APPROACHES, CONCRETE CURB, CONCRETE CURB RAMPS, SUBSURFACE DRAINAGE IMPROVEMENTS, AND RESTORATION.

All in accordance with the profile, details, drawings, and specifications on file in the office of the Department of Public Works of said City; and such improvement is now ordered.

It is hereby found by said Board of Public Works that all benefits accruing hereunder will be to the general public of the City of Fort Wayne and that no special benefits will accrue to any property owner adjoining said improvement or otherwise assessable under said improvement.

Adopted, this 23rd day of April, 20 03

BOARD OF PUBLIC WORKS

Robert P. Kennedy
Chairman

Denise Porter-Ross
Member

John Suarez
Member

ATTEST: Carolyn S. Newport
Clerk

Transportation Engineering Services to tabulate and report.

4. **RECEIVE BIDS: Resolution#6942-03: Mount Vernon Park.**

BIDDERS	BASE BID
Brooks Construction Co., Inc.	$89,013.75
Garcia Concrete	$71,806.25
Hipskind Concrete	$66,794.00
Key Concrete	**$59,905.00**
Primco, Inc.	$64,233.82
Engineers Estimate	**$69,878.00**

Transportation Engineering Services to tabulate and report.

5. Merit Award Presentation received from ACEC Indiana, Inc.

   Mark Gensic, Planning & Design, apprised the Board of the following: City Utilities won the award based on backwash system improvements made at the Water Filtration Plant. The City and HNTB Corporation worked together to create an innovative program that improvement backwashing at the plant. The backwashing process improves efficiency while maintaining high water quality. Placques were presented to Greg Meszaros, Chet Shastri, and Ron Sheppard.

6. Approval of Board of Public Works Minutes of April 16, 2003 and Preliminary Hearing Minutes of April 16, 2003 for Improvement Resolution #6908-03, Miscellaneous Construction Pkg. 4-A-2003 and Improvement Resolution #6917-03, Lincoln Park Neighborhood – 2003.
   Denise Porter-Ross moved approval of Board of Public Works Minutes of April 16, 2003 and Preliminary Hearing Minutes of April 16, 2003 for Improvement Resolution #6908-03, Miscellaneous Construction Pkg. 4-A-2003 and Improvement Resolution #6917-03, Lincoln Park Neighborhood – 2003. Motion carried. Minutes approved.

7. Approval of Proposal received from Alt & Witzig Engineering for a Phase I Environmental Assessment at the proposed Aboite Fire Station site located at the corner of Liberty Mills and Homestead Roads.

   Dan Brenner, Property Manager, said that the cost is a lump sum fee of $1,400.00.
   Denise Porter-Ross moved approval of Proposal received from Alt & Witzig Engineering for a Phase I Environmental Assessment at the proposed Aboite Fire Station site located at the corner of Liberty Mills and Homestead Roads. Motion carried. Copy to be placed on file in vault.

8. **AWARD:** Contract #03-03, Restoration of WPCM Utility Cuts to Robbco, Inc. in the amount of $71,269.30. Contract Compliance concurs with this award.
   John Suarez moved approval of award for Contract #03-03 to Robbco, Inc. in the amount of $71,269.30. Motion carried. Notice of award to be sent. Engineering Support Services to prepare contracts.

9. **AWARD:** Improvement Resolution #6919-03, Pasadena Drive from Beaver Avenue to Tacoma Avenue to Hipskind Concrete in the amount of $77,897.50. Contract Compliance concurs with this award.
   Denise Porter-Ross moved approval of award for Improvement Resolution #6919-03 to Hipskind Concrete in the amount of $77,897.50. Motion carried. Notice of award to be sent. Transportation Engineering Services to prepare contracts.

10. **IMPROVEMENT RESOLUTION #6937-03,** Arlington Park, Phase II.

Mario Trevino, Transportation Engineering Services, said that this Resolution is for the improvement of Teweksbury Court from terminus east and west to Potomac Drive, and Potomac Drive from North Arlington Park Blvd. to Greenwich Court by spot replacement of concrete pavement, drive approaches, concrete curb, concrete curb ramps, subsurface drainage improvements and restoration.
John Suarez moved approval of Improvement Resolution #6937-03. Motion carried. Copy to be herein incorporated. Bids to be received on May 7, 2003.

11. Approval of Encroachment License Agreement between the City of Fort Wayne and United Parcel Service granting permission to place upon City right-of-way a UPS letter center at 4640 Executive Blvd. The Encroachment License Agreement Committee recommends approval.
Denise Porter-Ross moved approval of Encroachment License Agreement between the City of Fort Wayne and United Parcel Service granting permission to place upon City right-of-way a UPS letter center at 4640 Executive Blvd. Motion carried. UPS center to be placed.

12. Approval of Warranty Deed from the City of Fort Wayne to Ty Taing and Ky Taing for the remnant property along State Blvd. west of Wells Street (former Bod-a-Bing building). City Engineering recommends approval.

David Ross, City Engineer, said that this was remnant property not needed for the State & Wells job.
John Suarez moved approval of Warranty Deed from the City of Fort Wayne to Ty Taing and Ky Taing for the remnant property along State Blvd. west of Wells Street (former Bod-a-Bing building). Motion carried. Copy to be placed on file in vault.

13. Approval of Construction Contract #6895-02 between Key Concrete, Inc. and the City of Fort Wayne for Public Sidewalk Curb Ramp Intersections 2002, Pkg. – 5 in the amount of $121,562.00.
Denise Porter-Ross moved approval of Construction Contract #6895-02 between Key Concrete, Inc. and the City of Fort Wayne for Public Sidewalk Curb Ramp Intersections 2002, Pkg. – 5 in the amount of $121,562.00. Motion carried. Contract to be sent to City Council.

14. Approval of Construction Contract #6922-03 between Hipskind Concrete Corp. and the City of Fort Wayne for Madison Street: Lafayette Blvd. to Clay St. and Madison Street: Francis Street to Harmar Street in the amount of $40,949.50.
John Suarez moved approval of Construction Contract #6922-03 between Hipskind Concrete Corp. and the City of Fort Wayne for Madison Street: Lafayette Blvd. to Clay St. and Madison Street: Francis Street to Harmar Street in the amount of $40,949.50. Motion carried. Notice to proceed to be sent.

15. Approval of Construction Contract #6925-03 between Hipskind Concrete Corp. and the City of Fort Wayne for Monroe Street: Lewis Street to Jefferson Blvd. in the amount of $70,019.70.
Denise Porter-Ross moved approval of Construction Contract #6925-03 between Hipskind Concrete Corp. and the City of Fort Wayne for Monroe Street: Lewis Street to Jefferson Blvd. in the amount of $70,019.70. Motion carried. Notice to proceed to be sent.

16. Approval of Construction Contract #6918-03 between E & B Paving and the City of Fort Wayne for Resurfacing Package 1-2003 in the amount of $585,290.50.
John Suarez moved approval of Construction Contract #6918-03 between E & B Paving and the City of Fort Wayne for Resurfacing Package 1-2003 in the amount of $585,290.50. Motion carried. Contract to be sent to City Council.

17. Approval of Professional Services Agreement between the City of Fort Wayne and Bonar Group for the design of Northwest Feeder Main, Phase II. The lump sum fee amount for this contract is $9,900.00. Planning & Design Services recommend approval.

Matthew Wirtz, Planning & Design Services, said that the purpose of this project is to improve the capabilities of the City's water distribution systems to fill the Northwest Reservoir, as well as improve pressure in the north/northwest area of the City. This project will consist of the construction of the second phase (of several phases, Phase I completed in 2001) of a feeder main that is proposed to eliminate the current lack of flow capacity in the water mains currently feeding the north/northwest area of the City.

Denise Porter-Ross moved approval of Professional Services Agreement between the City of Fort Wayne and Bonar Group for the design of Northwest Feeder Main, Phase II. Motion carried. Copy to be placed on file in vault. Notice to proceed to be sent.

18. Approval of Sewer Contract #2003-S-05 between Steeplechase Development Corp. and the Fort Wayne Water Pollution Control Utility to construct a local sanitary sewer system to serve Morgan Creek Section III. This project is outside the City. This contract contains provisions for Waiver of Remonstrance against annexation. This project is in a green zone (PRIVATELY FUNDED).

Jack Suter, Development Services, said that this 42 lot development is north of Bass and West of Thomas Roads.

John Suarez moved approval of Sewer Contract #2003-S-05 between Steeplechase Development Corp. and the Fort Wayne Water Pollution Control Utility to construct a local sanitary sewer system to serve Morgan Creek Section III. Motion carried. Sanitary sewer system to be constructed.

19. Approval of Sewer Contract #2003-S-06 between Roy D. Sordelet and Rosalind Jane Sordelet and the Fort Wayne Water Pollution Control Utility to construct a local sanitary sewer system to serve Union Chapel Road – Sordelet Sanitary. This project is outside the City. This contract contains provisions for Waiver of Remonstrance against annexation. This project is in a green zone (PRIVATELY FUNDED).

Jack Suter, Development Services, said that this development is in Perry Township and the sewer will eliminate several septic tanks.

Denise Porter-Ross moved approval of Sewer Contract #2003-S-06 between Roy D. Sordelet and Rosalind Jane Sordelet and the Fort Wayne Water Pollution Control Utility to construct a local sanitary sewer system to serve Union Chapel Road – Sordelet Sanitary. Motion carried. Sanitary sewer system to be constructed.

20. Approval of Water Contract #2003-W-03 between Steeplechase Development Corp. and the Fort Wayne Water Utility to construct water main systems to serve Morgan Creek Section III. This project is located outside the City of Fort Wayne (PRIVATELY FUNDED).

Jack Suter, Development Services, said that said water main would include 1179 LF of ductile iron pipe.

John Suarez moved approval of Water Contract #2003-W-03 between Steeplechase Development Corp. and the Fort Wayne Water Utility to construct water main systems to serve Morgan Creek Section III. Motion carried. Water main systems to be constructed.

21. Approval of General Accounting Claims in the amount of $4,563,386.83.

Denise Porter-Ross moved approval of General Accounting Claims in the amount of $4,563,386.83. Motion carried. Claims to be sent to the Department of Finance.

22. Old Business:

None.

23. New Business:

Misc. Resolution For CSO Pump Station Electrical Repairs.

Mark Gensic, Planning & Design, said that the electrical resistor bank for CSO Pump Station #3 sustained damage on March 3, 2009. The estimated project total cost will be $30,000.00 **John Suarez moved approval of Misc. Resolution for CSO Pump Station Electrical Repairs. Motion carried. Copy to be herein incorporated. Purchasing to issue purchase order.**

Meeting adjourned at 9:35 a.m.

Robert P. Kennedy, Chairman

John Suarez, Member

Denise Porter-Ross, Member

ATTEST: Carolyn S. Newport, Clerk

April 23, 2003

Board of Public Works
Hearing held at 10:00 a.m.
Omni Room – Room 250

Robert P. Kennedy, Chairman
Denise Porter-Ross, Member
John Suarez, Member

Carolyn S. Newport, Clerk

Present: All Members & Clerk; Marj Enders, Barrett Law Accountant; Denny Root & Mario Trevino, Transportation Engineering Services; Greg Meszaros, Director, Division of Public Works/Utilities.

1. Preliminary Hearing to confirm Improvement Resolution #6941-03, Nussbaum Alley Reconstruction. Denny Root, Project Engineer, explained the scope of the Work.

   Two letters were received and read into the record from property owners stating that they could not afford the project, Sherri Dalton, 420 Elizabeth St. and Roy & Ruth Stinnet, 340 Elizabeth Street.

   Several other properties owners implied that they were in favor of the project but unable to pay the assessment.

   Marj Enders explained the Barrett Law process.
   Denise Porter-Ross moved to confirm Improvement Resolution #6941-03. Motion carried. . REMONSTRANCE PERIOD IS UP MAY 5, 2003 AT 5:00 P.M.

Hearing adjourned at 10:50 a.m.

Robert P. Kennedy, Chairman

John Suarez, Member

Denise Porter-Ross, Member

Attest: Carolyn S. Newport
Carolyn S. Newport, Clerk

BOARD OF PUBLIC WORKS
ROOM 250—OMNI ROOM
MEETING HELD AT 9:00 A.M.

ROBERT P. KENNEDY, CHAIRMAN
JOHN SUAREZ, MEMBER
DENISE PORTER-ROSS, MEMBER

CAROLYN S. NEWPORT, CLERK

PRESENT: All Members & Clerk; Greg Meszaros, Director of Public Works/Utilities; David Ross, City Engineer; Mario Trevino, Transportation Engineering Services; Justin Bruegger, Administrative Assistant, Board of Public Works; John Perlich, PIO; Charles Bailey & Carl Wilson, Contract Compliance; Jack Suter, Development Services; Kristine Degabriele, Assoc. City Attorney; Mark Gensic, Planning & Design; Ron Sheppard & Bill Maxwell, Engineering Support Services; Bill Simmons, Water Resources; George Cook, Traffic Eng./Street Light Engineering; Al Lichtsinn & Jim Riemke, Street Light Engineering.

1. RECEIVE BIDS: Resolution#282-03: Wallen Hills Street Light Improvement.

BIDDERS	BASE BID
LSI	**$6,341.00**
Robert Henry Corp.	$6,575.00
Engineers Estimate	**$7,935.00**

Street Light Engineering to tabulate and report.

2. RECEIVE BIDS: Resolution#285-03: Miscellaneous Street Light Package.

BIDDERS	BASE BID
LSI	**$11,879.50**
Robert Henry Corp.	$13,829.00
Engineers Estimate	**$17,743.00**

Street Light Engineering to tabulate and report.

3. RECEIVE BIDS: Resolution# 6921-03: Downing Avenue: 400 Block Between Fairfield and Hoagland.

BIDDERS	BASE BID
Benchmark Construction, L.L.C.	$81,600.00
Brooks Construction Co., Inc.	$90,800.00
Hipskind Concrete	$72,892.30
Primco, Inc.	**$69,714.83**
Engineers Estimate	**$70,273.85**

Transportation Engineering Services to tabulate and report.

4. RECEIVE BIDS: Resolution# 6936-03: Pontiac Street & Wayne Trace Intersection.

BIDDERS	BASE BID
Brooks Construction Co., Inc.	$1,315,021.31
Primco, Inc.	**$1,255,061.22**
Engineers Estimate	**$1,305,692.86**

City Engineering to tabulate and report.

5. RECEIVE BIDS: Resolution#6940-03: Colonial Heritage Addition.

BIDDERS	BASE BID
Garcia Concrete Construction	$87,641.00
Hipskind Concrete	$90,183.00
Key Concrete	**$81,758.00**
Newell Construction Co.	$86,373.65
Primco, Inc.	$97,906.70
Engineers Estimate	**$98,593.00**

Transportation Engineering Services to tabulate and report.

6. RECEIVE BIDS: Resolution#6943-03: Avalon Addition.

BIDDERS	BASE BID
Garcia Concrete	$75,390.00
Hipskind Concrete	$81,203.00
Key Concrete	**$68,595.00**
Primco, Inc.	$73,145.14
Engineers Estimate	**$87,072.50**

Transportation Engineering Services to tabulate and report.

7. Approval of Board of Public Works Minutes of April 23, 2003 and Preliminary Hearing Minutes of April 23, 2003 for Improvement Resolution #6941-03, Nussbaum Alley Project.

Denise Porter-Ross moved approval of Board of Public Works Minutes of April 23, 2003 and Preliminary Hearing Minutes of April 23, 2003 for Improvement Resolution #6941-03, Nussbaum Alley Project. Motion carried. Minutes approved.

8. **AWARD:** Improvement Resolution #1533-03, Indian Village Phase I Water Main Replacement to All Star Construction in the amount of $357,033.40. Contract Compliance concurs with this award.

John Suarez moved approval of AWARD for Improvement Resolution #1533-03, Indian Village Phase I Water Main Replacement to All Star Construction in the amount of

$357,033.40. Motion carried. Notice of award to be sent. Engineering Support Services to prepare contracts.

9. **AWARD:** Improvement Resolution #1553-03, Exterior Cleaning & Painting of 4 MG Northwest Concrete Ground Water Storage Tank & Pump Station to Odle, Inc. in the amount of $37,035.00.

   Charles Bailey, Contract Compliance, stated that the bid documents submitted by Odle, Inc. did not include the Plan & Equipment Questionnaire.

   Denise Porter-Ross moved to table award for Improvement Resolution #1553-03. Motion carried. Award tabled.

10. **AWARD:** Improvement Resolution #6929-03, Reserve Line Road to Wayne Asphalt in the amount of $60,178.25.

    John Suarez moved approval of AWARD for Improvement Resolution #6929-03, Reserve Line Road to Wayne Asphalt in the amount of $60,178.25. Motion carried. Notice of award to be sent. Transportation Engineering Services to prepare contracts.

11. **AWARD:** Improvement Resolution #6933-03, Oakhurst Addition to Newell Construction Co., Inc. in the amount of $126,677.93.

    Denise Porter-Ross moved approval of AWARD for Improvement Resolution #6933-03, Oakhurst Addition to Newell Construction Co., Inc. in the amount of $126,677.93. Motion carried. Notice of award to be sent.Transportation Engineering Services to prepare contracts.

12. **AWARD:** Improvement Resolution #6942-03, Mount Vernon Park to Key Concrete in the amount of $59,905.00.

    John Suarez moved approval of AWARD for Improvement Resolution #6942-03, Mount Vernon Park to Key Concrete in the amount of $59,905.00. Motion carried. Notice of award to be sent. Transportation Engineering Services to prepare contracts.

13. Grant Agreement between the City of Fort Wayne and Fort Wayne Realty Development, LLC allocating $10,000.00 from District 5 CEDIT funds for reimbursement of expenses incurred by FWRD resulting from housing construction and related site improvements made for forty-seven homes located within the City of Fort Wayne, sixteen of which are now occupied and improved according to the federal low income housing credits program and program guidelines.

    Denise Porter-Ross moved approval of Grant Agreement between the City of Fort Wayne and Fort Wayne Realty Development, LLC allocating $10,000.00 from District 5 CEDIT funds for reimbursement of expenses incurred by FWRD resulting from housing construction and related site improvements made for forty-seven homes located within the City of Fort Wayne, sixteen of which are now occupied and improved according to the federal low income housing credits program and program guidelines. Motion carried. Copy to be placed on file in vault.

14. **IMPROVEMENT RESOLUTION #6924-03,** Fulton Street: Washington Blvd. to Wayne Street.

    Mario Trevino, Transportation Engineering Services, said that this Resolution is for the improvement of Fulton Street: Washington Blvd. to Wayne by reconstructing the curb, sidewalk, curbface walk, driveway, alley approach, surface milling and asphalt patching. This is a petition project.

    John Suarez moved approval of IMPROVEMENT RESOLUTION #6924-03, Fulton Street: Washington Blvd. to Wayne Street. Motion carried. Copy to be herein incorporated. Hearing to be scheduled.

15. **IMPROVEMENT RESOLUTION #6947-03,** Congressional Parkway Upgrade.

David Ross, City Engineering apprised the Board of the following: this Resolution is to improve Congressional Parkway from Goshen Road west approx. 2,140 feet to east boundary of Congressional Industrial Park Section II by widening cement concrete pavement, grading aggregate shoulder, rehabilitating side ditch stormwater drainage, reconstructing driveway approaches to accommodate heavy commercial vehicles, widen right turn access from Goshen Road to Congressional Parkway and other related work. This project was initiated by the City Redevelopment Department.

John Suarez moved approval of IMPROVEMENT RESOLUTION #6947-03, Congressional Parkway Upgrade. Motion carried. Copy to be herein incorporated. Hearing to be held.

16. **IMPROVEMENT RESOLUTION #6951-03,** Clover Lane, 1800 block.

Mario Trevino, Transportation Engineering Services, said that this is to improve Clover Lane, 1800 block with concrete curbs, concrete sidewalks, pavement patching, mulched seeding and restoration.

Denise Porter-Ross moved approval of IMPROVEMENT RESOLUTION #6951-03, Clover Lane, 1800 block. Motion carried. Copy to be herein incorporated. Bids to be received on May 7, 2003.

17. Approval of Supplemental Agreement No. 4 between the City of Fort Wayne and Bonar Group to provide professional services for the additional scope of work of improvements to West Jefferson Blvd. Trail. Proposed additional improvements include: treated lumber pedestrian bridge, historical markers, park concrete and stone wall, special grading around railroad crossing, revised curb ramp design. Compensation for services performed shall be $9,600.00. City Engineering recommends approval.

Denise Porter-Ross moved approval of Supplemental Agreement No. 4 between the City of Fort Wayne and Bonar Group to provide professional services for the additional scope of work of improvements to West Jefferson Blvd. Trail. Motion carried. Copy to be placed on file in vault. Notice to proceed to be sent.

18. Approval of Construction Contract #6923-03 between G. E. Minear Construction and the City of Fort Wayne for Miscellaneous Construction Package 5-A-03 in the amount of $11,677.00.

John Suarez moved approval of Construction Contract #6923-03 between G. E. Minear Construction and the City of Fort Wayne for Miscellaneous Construction Package 5-A-03 in the amount of $11,677.00. Motion carried. Notice to proceed to be sent.

19. **RESOLUTION** of the Board of Public Works of the City of Fort Wayne, Indiana approving the Neuhaus Phase II Interceptor Sewer Project and Appropriating and Condemning Real Property for use by the City of Fort Wayne, Indiana and Assessing Benefits to Property Owners for the Construction of the Neuhaus Phase II Interceptor Sewer Project.

Mary Jane Slaton, Development Services said that an easement is needed for completion of the Neuhaus Phase II sanitary interceptor sewer. An offer to purchase the easement has been made and refused. Ms. Slaton said that a hearing will be advertised twice in Fort Wayne Newspapers and the property owner will be notified by certified mail. Hearing to be scheduled on May 21, 2003.

Denise Porter-Ross moved approval of RESOLUTION of the Board of Public Works of the City of Fort Wayne, Indiana approving the Neuhaus Phase II Interceptor Sewer Project and Appropriating and Condemning Real Property for use by the City of Fort Wayne, Indiana and Assessing Benefits to Property Owners for the Construction of the Neuhaus Phase II Interceptor Sewer Project. Motion carried. Copy to be herein incorporated.

20. **IMPROVEMENT RESOLUTION #1571-2003,** WPCP Secondary Clarifiers' Drive Units and Skimmer Replacement.

Mark Gensic, Planning & Design Services, stated that this Resolution authorizes the installation of new clarified drive units and skimmer mechanisms to replace existing units in five secondary clarifiers at the Water Pollution Control Plant.

John Suarez moved approval of IMPROVEMENT RESOLUTION #1571-2003, WPCP Secondary Clarifiers' Drive Units and Skimmer Replacement. Motion carried. Copy to be herein incorporated. Bids to be received on May 21, 2003.

21. **IMPROVEMENT RESOLUTION #1571-2003,** WPCP Secondary Clarifiers' Drive Units and Skimmer Replacement.

Mark Gensic, Planning & Design, stated that this Resolution authorizes installation of an additional to the existing Lime Storage Building at the Biosolids Facility to allow for additional storage space for lime sludge.

Denise Porter-Ross moved approval IMPROVEMENT RESOLUTION #1571-2003, WPCP Secondary Clarifiers' Drive Units and Skimmer Replacement. Motion carried. Copy to be herein incorporated. Bids to be received on May 21, 2003.

22. **IMPROVEMENT RESOLUTION #1579-2003,** St. Joe Dam Repairs, Phase I – 2003.

Mark Gensic, Planning & Design, said that this orders the construction of

improvements to the St. Joe Pumping Station.

John Suarez moved approval of IMPROVEMENT RESOLUTION #1579-2003, St. Joe Dam Repairs, Phase I – 2003. Motion carried. Copy to be herein incorporated.

23. Approval of Professional Services Agreement between the City of Fort Wayne and DLZ Indiana, LLC for Contract Administration & Observation Services for the Camp Scott Pump Station, Camp Scott Force Main, Camp Scott Excess Water Outfall and Camp Scott Wetlands. The compensation for this contract is not-to-exceed $740,200.00. Engineering Services recommend approval.

Ron Sheppard, Engineering Support Services, said that DLZ will determine whether said infrastructure is constructed in substantial conformance with approved plans and specification of the Fort Wayne, Division of Utilities, Water Resources Engineering.

Denise Porter-Ross moved approval of Professional Services Agreement between the City of Fort Wayne and DLZ Indiana, LLC for Contract Administration & Observation Services for the Camp Scott Pump Station, Camp Scott Force Main, Camp Scott Excess Water Outfall and Camp Scott Wetlands. Motion carried. Copy to be placed on file in vault. Notice to proceed to be sent.

24. Approval of Construction Contract #03-03 between the City of Fort Wayne and Robbco, Inc. for Restoration of WPCM Utility Cuts in the amount of $71,269.30. **PRIOR APPROVAL REQUESTED.**

John Suarez moved approval of Construction Contract #03-03 between the City of Fort Wayne and Robbco, Inc. for Restoration of WPCM Utility Cuts in the amount of $71,269.30. PRIOR APPROVAL REQUESTED.

25. **RESOLUTION** of the Board of Public Works on Refunding Developer Fee Overcharges – Water and Sanitary.

Mary Jane Slaton, Development Services, said that this establishes a policy for refunding a portion of fees charged to developers if actual costs for inspection, testing and contract management services projects built under developer contracts are lower than estimated.

Denise Porter-Ross moved approval of RESOLUTION of the Board of Public Works on Refunding Developer Fee Overcharges – Water and Sanitary. Motion carried. Copy herein incorporated.

26. Approval of Sanitary Sewer Contract #2003-S-07 between NPT Development Corp and the Fort Wayne Water Pollution Control Utility to construct a local sanitary sewer system to serve Hawthorne Park Section VI. This project is outside the City. This contract contains provisions for Waiver of Remonstrance against annexation. This project is in a green zone (PRIVATELY FUNDED).

Mary Jane Slaton, Development Services, stated said sewer to include 651± lf of 8" PVC Pipe.

John Suarez moved approval of Sanitary Sewer Contract #2003-S-07 between NPT Development Corp and the Fort Wayne Water Pollution Control Utility to construct a local sanitary sewer system to serve Hawthorne Park Section VI. Motion carried. Sanitary sewer to be constructed.

27. Approval of Water Contract #2003-W-06 between NPT Development Corp. and the Fort Wayne Water Utility to construct water main systems to serve Hawthorne Park Section VI. This project is outside the City (PRIVATELY FUNDED).

Mary Jane Slaton, Development Services, stated said water line to include 633 ± lf of 8" polyvinyl chloride pipe.

Denise Porter-Ross moved approval of Water Contract #2003-W-06 between NPT Development Corp. and the Fort Wayne Water Utility to construct water main systems to serve Hawthorne Park Section VI. Motion carried. Water main systems to be constructed.

28. Approval of recommendation received from Engineering Support Services to accept the work performed by Metropolitan Environmental Services, Inc. on Contract #652-01, WPCP CSO Pond Dredging.

John Suarez moved approval of recommendation received from Engineering Support Services to accept the work performed by Metropolitan Environmental Services, Inc. on Contract #652-01, WPCP CSO Pond Dredging. Motion carried. Acceptance letter to be sent.

29. Approval of Full Release of Escrow received from Metropolitan Environmental Services, Inc. for Contract #625-01, WPCP CSO Pond Dredging in the amount of $63,334.99 plus interest. The Escrow Agent is Key Bank, NA.

Denise Porter-Ross moved approval of Full Release of Escrow received from Metropolitan Environmental Services, Inc. for Contract #625-01, WPCP CSO Pond Dredging in the amount of $63,334.99 plus interest. Motion carried. Release of Escrow to be sent to the Escrow Agent.

30. Approval of Request for Authorization for Release of Escrow received from A. Hattersley & Sons, Inc. for the work performed on Contract #1105-01, Installation of On-Line Process Monitoring Equipment at the Water Filtration Plant.

John Suarez moved approval of Request for Authorization for Release of Escrow received from A. Hattersley & Sons, Inc. for the work performed on Contract #1105-01, Installation of On-Line Process Monitoring Equipment at the Water Filtration Plant. Motion carried. Release of Escrow to be sent to the Escrow Agent.

31. Approval of General Accounting Claims in the amount of $5,418,324.29.

Denise Porter-Ross moved approval of General Accounting Claims in the amount of $5,418,324.29. Motion carried. Claims to be sent to the Department of Finance.

31. Old Business.

None.

32. New Business.

Approval of Change Order #1 received from Robbco, Inc. requesting an extension of time for Contract #03-01, Restoration of Water Utility Cuts.

Bill Simmons, Water Resources, said that this Change Order is due to inclement weather.

Denise Porter-Ross moved approval of Change Order #1 received from Robbco, Inc. requesting an extension of time for Contract #03-01, Restoration of Water Utility Cuts. Motion carried. Completion date changed to 5/15/03.

IMPROVEMENT RESOLUTION #6950-03, Misc. Const. Pkg. 6-A-03.

Mario Trevino, Transportation Engineering Services, said that this project is in the 6th Council District at miscellaneous locations.

John Suarez moved approval of IMPROVEMENT RESOLUTION #6950-03, Misc. Const. Pkg. 6-A-03. Motion carried. Copy to be herein incorporated. Bids to be received on May 7, 2003.

Meeting adjourned at 9:45 a.m.

Robert P. Kennedy, Chairman

John Suarez, Member

Denise Porter-Ross, Member

ATTEST: Carolyn S. Newport, Clerk

APRIL 30, 2003

BOARD OF STORMWATER MANAGEMENT
ROOM 250—OMNI ROOM
MEETING HELD AT 9:45 A.M.

GREG MESZAROS, CHAIRMAN
JOHN SUAREZ, MEMBER
DENISE PORTER-ROSS, MEMBER

CAROLYN S. NEWPORT, CLERK

PRESENT: All Members & Clerk; Greg Meszaros, Director of Public Works/Utilities; David Ross, City Engineer; Mario Trevino, Transportation Engineering Services; Justin Bruegger, Administrative Assistant, Board of Public Works; John Perlich, PIO; Charles Bailey & Carl Wilson, Contract Compliance; Jack Suter, Development Services; Kristine Degabriele, Assoc. City Attorney; Mark Gensic, Planning & Design; Ron Sheppard & Bill Maxwell, Engineering Support Services; Bill Simmons, Water Resources; George Cook, Traffic Eng./Street Light Engineering; Al Lichtsinn & Jim Riemke, Street Light Engineering.

1. Approval of Board of Stormwater Management Minutes of April 16, 2003.

   Denise Porter-Ross moved approval of Board of Stormwater Management Minutes of April 16, 2003. Motion carried. Minutes approved.

2. **RESOLUTION** of the Board of Public Works on Refunding Developer Fee Overcharges – Stormwater.

   Mary Jane Slaton, Development Services, said that this Resolution establishes a policy for refunding a portion of fees charged to developers if actual costs for inspection, testing and contract management services projects built

   John Suarez moved approval of RESOLUTION of the Board of Public Works on Refunding Developer Fee Overcharges – Stormwater. Motion carried. Copy to be herein incorporated.

3. Old Business:

   None.

4. New Business:

   None.

Meeting adjourned at 9:50 a.m.

Greg Meszaros, Chairman

John Suarez, Member

Denise Porter-Ross, Member

ATTEST:
Carolyn S. Newport, Clerk

April 30, 2003

Board of Public Works
Hearing held at 10:00 a.m.
Omni Room – Room 250

Robert P. Kennedy, Chairman
Denise Porter-Ross, Member
John Suarez, Member

Carolyn S. Newport, Clerk

PRESENT: All Members & Clerk; David Ross, City Engineer; Marj Enders, Barrett Law Accountant.

1. Preliminary Hearing to confirm Improvement Resolution #6947-03 – Congressional Parkway Upgrade.

   David Ross, City Engineer, explained the scope of the project.

   Robert Kennedy opened the floor for questions.

   A. V. Fleming, with the Fleming Group, LLC, stated that his business did not require a new driveway because heavy trucks do not utilize it, and he requested that this improvement be removed from the Preliminary Assessment Roll.

   David Ross stated that he would amend the Preliminary Assessment Roll to remove the driveway per the request.

   Marj Enders explained the Barrett Law process.

   Denise Porter-Ross moved confirm Improvement Resolution #6947-03 – Congressional Parkway Upgrade. Motion carried. **REMONSTRANCE PERIOD IS UP ON MAY 12, 2003 AT 5:00 P.M.**

Hearing adjourned at 10:20 a.m.

Robert Kennedy
Robert P. Kennedy, Chairman

John Suarez
John Suarez, Member

Denise Porter-Ross
Denise Porter-Ross, Member

ATTEST: Carolyn S. Newport
Carolyn S. Newport, Clerk

May 7, 2003

Board of Public Works
Hearing held at 10:15 a.m.
Omni Room – Room 250

Robert P. Kennedy, Chairman
Denise Porter-Ross, Member
John Suarez, Member

Carolyn S. Newport, Clerk

PRESENT: All Members & Clerk; Gary Ainslie & Mario Trevino, Transportation Engineering Services; Marj Enders, Barrett Law Accountant; Greg Meszaros, Director of Board of Public Works/Utilities.

1. Preliminary Hearing tabled from April 16, 2003 to confirm Improvement Resolution #6908-03, Misc. Construction Package 4-A-03. Gary Ainslie is the project engineer.

   No property owners were in attendance.

   Denise Porter-Ross moved to remove Improvement Resolution #6908-03 from the table. Denise Porter-Ross then moved to confirm Improvement Resolution #6908-03, Misc. Construction Package 4-A-03. REMONSTRANCE PERIOD TO BE UP ON MAY 19, 2003 AT 5:00 P.M.

Meeting adjourned at 10:25 a.m.

Robert P. Kennedy, Chairman

John Suarez, Member

Denise Porter-Ross, Member

ATTEST: Carolyn S. Newport, Clerk

IMPROVEMENT RESOLUTION NO. 6935-03
LAKESHORES PARK COMMUNITY

RESOLVED BY THE BOARD OF PUBLIC WORKS OF THE CITY OF FORT WAYNE, INDIANA,

That it is deemed necessary to improve: **CORLINE STREET AND LAKEWOOD DRIVE, SHOREVIEW DRIVE NEAR LAKEWOOD DRIVE, ARDIS STREET AND CORLINE STREET INTERSECTION, AND 1612 SHOREVIEW DRIVE WITH CONCRETE SPOT REPAIR, ADA RAMPS, MULCHED SEEDING AND RESTORATION.**

All in accordance with the profile, details, drawings, and specifications on file in the office of the Department of Public Works of said City; and such improvement is now ordered.

It is hereby found by said Board of Public Works that all benefits accruing hereunder will be to the general public of the City of Fort Wayne and that no special benefits will accrue to any property owner adjoining said improvement or otherwise assessable under said improvement.

Adopted, this 7th day of 4 May, 20 03

BOARD OF PUBLIC WORKS

Robert P. Kennedy
Chairman

Denise Porter-Ross
Member

John Suarez
Member

ATTEST: Carolyn S. Newport
Carolyn S. Newport
Clerk

ESTIMATE OF QUANTITIES

PROJECT: LAKESHORES PARK COMMUNITY RES. NO.: 6935-03
CONCRETE STREET REPAIRS
DATE: 5/2/03

ITEM NO.	ITEM	PLAN QUANTITY	UNIT	UNIT COST ($)	AMOUNT ($)
1.	Removal ofPavement	605	SY	6.00	3630.00
2.	Removal of Concrete	105	SY	5.00	525.00
3.	Cement Concrete pavement,Plain 6" Incl."type I-A curb" & 7 bag mix w\ superplastisizer	605	SY	30.00	18150.00
4	Concrete Sidewalk (4")	25	SY	24.00	600.00
5.	Concrete Wingwalk And Curb Ramps	80	SY	40.00	3200.00
6.	Compacted aggregate for base "O" - #53	110	TON	15.00	1650.00
7.	J-Bolts	200	EA	7.00	1400.00
8.	Backfill For Behind Curbs	35	TON	10.00	350.00
9.	Top Soil	30	TON	15.00	450.00
10.	Mulched Seeding	255	SY	2.00	510.00
11.	Adjust Casting To Grade	3	EA	150.00	450.00
12.	Water Valves Adjusted To Grade	1	EA	40.00	40.00
13.	Construction Signs Type "A"	10	EA	100.00	1000.00
14.	Standard Barricade, Type III	6	EA	65.00	390.00
15.	Mobilization and Demobilization	1	LS	1500.00	1500.00
16.	Maintenance of Traffic	1	LS	2000.00	2000.00
17.	Common Excavation (Undistributed Quantity)	10	CY	30.00	300.00

SUB-TOTAL	36145.00
E&I @16%	5783.20
TOTAL:	41928.20

IMPROVEMENT RESOLUTION NO. 6939-03
MISCELLANEOUS CONSTRUCTION PACKAGE 2-B-03

RESOLVED BY THE BOARD OF PUBLIC WORKS OF THE CITY OF FORT WAYNE, INDIANA,

That it is deemed necessary to improve: **WOODTHRUSH DRIVE AND HIGHTOWER PLACE INTERSECTION, WOODTHRUSH DRIVE AND TANBARK LANE, MARGOT WAY, SQUIRES PLACE, AND MAPLE TERRACE PARKWAY BETWEEN CURWOOD DRIVE AND CRANBROOK DRIVE BY SPOT REPLACEMENT OF CONCRETE PAVEMENT, DRIVE APPROACHES, CONCRETE CURB, CONCRETE CURB RAMPS, SUBSURFACE DRAINAGE IMPROVEMENTS, AND RESTORATION.**

All in accordance with the profile, details, drawings, and specifications on file in the office of the Department of Public Works of said City; and such improvement is now ordered.

It is hereby found by said Board of Public Works that all benefits accruing hereunder will be to the general public of the City of Fort Wayne and that no special benefits will accrue to any property owner adjoining said improvement or otherwise assessable under said improvement.

Adopted, this 7th day of May, 2003.

BOARD OF PUBLIC WORKS

Robert P. Kennedy
Chairman

Denise Porter-Ross
Member

John Suarez
Member

ATTEST: Carolyn S. Newport
Clerk

ESTIMATE OF QUANTITIES

PROJECT: Misc. Pkg. 2-B-03 **RES. NO.: 6939-03**

DATE:4/24/2003 **B.O. NO.:**

ITEM NO.	ITEM	PLAN QUANTITY	UNIT	UNIT COST ($)	AMOUNT ($)
1.	Mobilization / Demobilization	1	LS	1500.00	1500.00
2.	Removal (of Pavement)	2030	S.Y.	7.50	15225.00
3.	Underdrain, (6" Perforated Plastic) (Type "K")	370	LF	7.50	2775.00
4.	Anchor Bolts ("J" Type)	255	EA	6.50	1657.50
5.	(6") Concrete Required (incl. "type I-A curb")	1999	SY	27.50	54972.50
6.	Type O Compacted Aggregate for Base;No.53,or No.8 (For Pavement Subbase & Subsurface Drains)	387	TON	12.50	4837.50
7.	Borrow (Behind curb)	62	TON	7.50	465.00
8.	Top Soil	40	TON	14.00	560.00
9.	Concrete for Residential Drives (6") (undistributed)	62	SY	32.00	1984.00
10.	Water Valves Adjusted to Grade (undistributed)	4	EA.	40.00	160.00
11.	Water Valves Furnish & Adjusted to Grade (undistributed)	4	EA	75.00	300.00
12.	Mulched Seeding	392	SY	2.00	784.00
13.	Maintenance of Traffic	1	LS	1300.00	1300.00
14.	Construction Sign Type "A"	14	EA	70.00	980.00
15.	Type III Barricade	14	EA	125.00	1750.00
16.	Type III Barricade With Sign	14	EA	175.00	2450.00
17.	Castings Adjusted to Grade	2	EA.	125.00	250.00
18.	Removal (of Concrete)	56	S.Y.	8.00	448.00
19.	Concrete Wing Walks & Ramps	48	S.Y.	35.00	1680.00
20	Concrete Sidewalk	8	S.Y.	30.00	240.00
21.	Concrete Curb For Curb Ramps	30	LF	7.00	210.00
22	Removal of Curb	157	LF	7.00	1099.00
23	Special Concrete Curb Type I-B	157	LF	24.00	3768.00

SUB-TOTAL:	99395.50
E&I @16%	15903.28
TOTAL:	**$ 115,298.78**

IMPROVEMENT RESOLUTION NO. 6945-03
TOWER HEIGHTS: 3100 BOWSTRING PASS AND 2100-2200 CHOCTIMAR TRAIL

RESOLVED BY THE BOARD OF PUBLIC WORKS OF THE CITY OF FORT WAYNE, INDIANA,

That it is deemed necessary to improve: **TOWER HEIGHTS: 3100 BOWSTRING PASS AND 2100-2200 CHOCTIMAR TRAIL BY RECONSTRUCTING CONCRETE PAVEMENT, CONCRETE DRIVE APPROACHES, MULCHED SEEDING AND RESTORATION.**

All in accordance with the profile, details, drawings, and specifications on file in the office of the Department of Public Works of said City; and such improvement is now ordered.

It is hereby found by said Board of Public Works that all benefits accruing hereunder will be to the general public of the City of Fort Wayne and that no special benefits will accrue to any property owner adjoining said improvement or otherwise assessable under said improvement.

Adopted, this 7th day of May, 2003.

BOARD OF PUBLIC WORKS

Robert Kennedy
Robert P. Kennedy
Chairman

Denise Porter-Ross
Denise Porter-Ross
Member

John Suarez
John Suarez
Member

ATTEST: Carolyn S. Newport
Carolyn S. Newport
Clerk

ESTIMATE OF QUANTITIES

PROJECT: TOWER HEIGHTS **RES. NO.: 6945-03**

DATE: APRIL 25, 2003 **B.O. NO.: N/A**

ITEM NO.	ITEM	PLAN QUANTITY	UNIT	UNIT COST ($)	AMOUNT ($)
1.	Removal of Concrete	22	SY	5.00	110.00
2.	Removal of Pavement	1590	SY	5.00	7950.00
3.	Common Excavation	35	CY	9.50	332.50
4.	Anchor Bolts	165	EA	7.00	1155.00
5.	Cement Concrete Pavement, Plain, 6" Inches	1590	SY	22.50	35775.00
6.	Concrete Pavement for Residential Drive	22	SY	25.00	550.00
7.	Top Soil	70	SY	13.00	910.00
8.	Fertilize Trees , Average 12" Inches	25	EA	40.00	1000.00
9.	Mulched Seeding,	380	SY	2.00	760.00
10.	Backfill Behind Curb (Borrow)	85	TON	4.00	340.00
11.	Castings Adjusted to Grade	4	EA	170.00	680.00
12.	Load Transfer Joint	54	LF	7.00	378.00
13.	Type "O" Compacted Aggregate for Base, No.1 or 2	15	TON	12.50	187.50
14	Type "O" Compacted Aggregate for Base, No.53	400	TON	10.50	4200.00
15	Standard Barricade, Type III - B	4	EA	65.00	260.00
16	Standard Barricade, Type II Type C Const. Warning Light	40	EA	28.00	1120.00
17	Construction Signs, Type A With Construction Warning Light Type A	6	EA	80.00	480.00
18	Maintenance of Traffic	1	LS	2248.00	2248.00
19	Mobilization / Demobilization	1	LS	2922.00	2922.00

TOTAL:	**61358.00**
E & I 16%	9817.00
	71175.00

IMPROVEMENT RESOLUTION NO. 6948-03
WENONAH LANE, 3500 BLOCK

RESOLVED BY THE BOARD OF PUBLIC WORKS OF THE CITY OF FORT WAYNE, INDIANA,

That it is deemed necessary to improve:
WENONAH LANE, 3500 BLOCK, CONCRETE PAVEMENT REPAIRS, CONCRETE DRIVE APPROACHES, CONCRETE WALKS, NEW CASTINGS FURNISHED AND ADJUSTED, MULCHED SEEDING AND RESTORATION.

All in accordance with the profile, details, drawings, and specifications on file in the office of the Department of Public Works of said City; and such improvement is now ordered.

It is hereby found by said Board of Public Works that all benefits accruing hereunder will be to the general public of the City of Fort Wayne and that no special benefits will accrue to any property owner adjoining said improvement or otherwise assessable under said improvement.

Adopted, this 7th day of May, 2003.

BOARD OF PUBLIC WORKS

Robert P. Kennedy
Chairman

Denise Porter-Ross
Member

John Suarez
Member

ATTEST: Carolyn S. Newport
Carolyn S. Newport
Clerk

ESTIMATE OF QUANTITIES

PROJECT: WENONAH LN. 3500 BLK. RES. NO.: 6948-03

DATE APRIL 21, 2003 B.O. NO.: N/A

ITEM NO.	ITEM	PLAN QUANTITY	UNIT	UNIT COST ($)	AMOUNT ($)
1.	Removal of Concrete	80	SY	6.00	480.00
2.	Removal of Pavement	961	SY	5.50	5285.50
3.	Common Excavation	20	CY	9.50	190.00
4.	Cement Concrete Pavement, Plain, 6" Inches	961	SY	22.00	21142.00
5.	Anchor Bolts	70	EA	7.00	490.00
6.	1" Expansion Joint	32	Ft	7.00	224.00
7.	Concrete Sidewalk, Undistrbuted	20	SY	22.00	440.00
8.	Concrete For Residential Drive's	60	SY	25.00	1500.00
9.	Top Soil	35	SY	13.00	455.00
10.	Fertilize Trees	5	EA	35.00	175.00
11.	Mulched Seeding,	190	SY	2.00	380.00
12.	Backfill Behind Curb (Borrow)	43	TON	5.00	215.00
13.	Casting, Type C Furnished & Adjusted to Grade	1	EA	395.00	395.00
14	Casting Type, D Furnished & Adjusted to Grade	1	EA	395.00	395.00
15	Type "O" Compacted Aggregate for Base, No.53	240	TON	12.00	2880.00
16	Bed Course Material	10	TON	9.00	90.00
17	Standard Barricade, Type II Type C Const. Warning Light	2	EA	65.00	130.00
18	Construction Signs, Type A With Construction Warning Light Type A	5	EA	80.00	400.00
19	Maintenance of Traffic	1	LS	1411.00	1411.00
20	Mobilization / Demobilization	1	LS	1834.00	1834.00

TOTAL:	**38511.50**
E&I - 16%	6162.00
	44673.50

BOARD OF PUBLIC WORKS
ROOM 250—OMNI ROOM
MEETING HELD AT 9:00 A.M.

ROBERT P. KENNEDY, CHAIRMAN
JOHN SUAREZ, MEMBER
DENISE PORTER-ROSS, MEMBER

CAROLYN S. NEWPORT, CLERK

PRESENT: All Members & Clerk; David Ross, City Engineer; Mario Trevino, Transportation Engineering Services; Kristine Degabriele, Associate City Attorney; Ken Nicolet, Customer Service, BOW/Utilities, Justin Bruegger, DOPW; Charles Bailey & Carl Wilson, Contract Compliance; Ron Sheppard & Bill Maxwell, Engineering Support Services; Al Lichtsinn, Street Light Engineering; John Perlich, PIO; Mike Hicks & Matthew Wirtz, Planning & Design; Jim Howard, Purchasing Director/Attorney; Greg Meszaros, Director, Division of Public Works/Utilities.

1. RECEIVE BIDS: Resolution#87-43-15 (6): Sewer Inspection & Cleaning.

BIDDERS	BASE BID
Dreier & Maller, Inc.	$82,180.40
Fluid Waste Services	$95,916.84
Inland Waters Pollution Control, Inc.	$225,335.70
J & S Liquid Waste	$149,136.65
National Power Rodding Corp.	$125,118.66
Reynolds, Inc.	**$65,812.40**
Tele-Vac Environmental	$96,034.30
T-G, Inc.	$97,071.50
Engineers Estimate	**$105,331.50**

Engineering Support Services to tabulate and report.

2. RECEIVE BIDS: Resolution#6927-03: Beechwood Drive.

BIDDERS	BASE BID
Benchmark Construction, L.L.C.	**$113,600.00**
Brooks Construction Co., Inc.	$133,300.00
Hipskind Concrete	$121,614.70
Primco, Inc.	$135,838.66
Engineers Estimate	**$105,503.00**

Transportation Engineering Services to tabulate and report.

3. RECEIVE BIDS: Resolution#6946-03: Barthold Street.

BIDDERS	BASE BID
Benchmark Construction, L.L.C.	$73,283.00
Brooks Construction Co., Inc.	**$72,500.50**
Hipskind Concrete	$84,724.00
Primco, Inc.	$79,296.66
Engineers Estimate	**$76,772.00**

Transportation Engineering Services to tabulate and report.

4. RECEIVE BIDS: Resolution#6949-03: Crown Colony Addition.

BIDDERS	BASE BID
Garcia Concrete Construction	$120,982.00
Hipskind Concrete	$108,475.20
Key Concrete	$119,596.00
Newell Construction	**$111,836.00**
Primco, Inc.	$120,382.54
Widner Paving	$139,757.00
Engineers Estimate	**$112,958.00**

Transportation Engineering Services to tabulate and report.

5. RECEIVE BIDS: Invitation to Bidders: Resolution#6950-03: Misc. Package 6-A-03.

BIDDERS	BASE BID
Garcia Concrete Construction	**$24,464.00**
Key Concrete, Inc.	$28,046.00
Engineers Estimate	**$20,888.00**

Transportation Engineering Services to tabulate and report.

6. RECEIVE BIDS: Invitation to Bidders: Resolution#6951-03: Clover Lane, 1800 block.

BIDDERS	BASE BID
Garcia Concrete Construction	$22,243.00
Hipskind Concrete	$21,700.00
Key Concrete, Inc.	$23,123.00
Newell Construction	$22,942.00

Primco, Inc.	**$19,453.18**
Engineers Estimate	**$21,145.00**

Transportation Engineering Services to tabulate and report.

7. Approval of Board of Public Works Minutes of April 30, 2003 and Preliminary Hearing Minutes for Improvement Resolution #6947-03, Congressional Parkway Upgrade.

   Denise Porter-Ross moved approval of Board of Public Works Minutes of April 30, 2003 and Preliminary Hearing Minutes for Improvement Resolution #6947-03, Congressional Parkway Upgrade. Motion carried. Minutes approved.

8. **AWARD:** Improvement Resolution #282-03, Wallen Hills Addition to Lights & Signals in the amount of $6,341.00. Contract Compliance concurs with this award.

   John Suarez moved approval of AWARD for Improvement Resolution #282-03, Wallen Hills Addition to Lights & Signals in the amount of $6,341.00. Contract Compliance concurs with this award. Motion carried. Notice of award to be sent. Street Light Engineering to prepare contracts.

9. **AWARD:** Improvement Resolution #285-03, Miscellaneous Street Light Package 2003 to Lights & Signals, Inc. in the amount of $11,879.50. Contract Compliance concurs with this award.

   Denise Porter-Ross moved approval of AWARD for Improvement Resolution #285-03, Miscellaneous Street Light Package 2003 to Lights & Signals, Inc. in the amount of $11,879.50. Motion carried. Notice of award to be sent. Street Light Engineering to prepare contracts.

10. **AWARD:** Improvement Resolution #1553-03, Exterior Cleaning & Painting of 4 MG Northwest Concrete Ground Water Storage Tank & Pump Station to Odle Inc. in the amount of $37,035.00 (tabled from last week).

    Denise Porter-Ross moved to remove the award from the table. Motion carried.

    Ron Sheppard, Engineering Support Service stated that this was tabled last week because Contract Compliance stated that Section II of the Plan and Equipment Questionnaire was not completed. Mr. Sheppard stated that since this project was under $100,000.00, it did not apply in this case.

    John Suarez moved approval of AWARD for Improvement Resolution #1553-03, Exterior Cleaning & Painting of 4 MG Northwest Concrete Ground Water Storage Tank & Pump Station to Odle Inc. in the amount of $37,035.00. Motion carried. Notice of award to be sent. Engineering Support Services to prepare contracts.

11. **AWARD:** Improvement Resolution #6911-03 (Street Portion), #1101-02 (Water Portion), Inwood Drive to All Star Construction in the amount of $580,794.94. **PRIOR APPROVAL REQUESTED.**

    Mario Trevino, Transportation Engineering Services, apprised the Board of the following; a letter wasd received from Wayne Asphalt regarding some apparent irregularities in the bid turned by All Star Construction. Transportation Engineering Services considers the errors to be minor and Kristine Degabriele of the Law Department agreed.

    Denise Porter-Ross moved approval of award for Improvement Resolution #6911-03 (Street Portion), #1101-02 (Water Portion), Inwood Drive to All Star Construction in the amount of $580,794.94. Motion carried. Notice of award to be sent. Transportation Engineering Services to prepare contracts.

12. **AWARD:** Improvement Resolution #6921-03, Downing Avenue: Fairfield Avenue to Hoagland Avenue to Primco, Inc. in the amount of $69,714.83.

    John Suarez moved approval of AWARD for Improvement Resolution #6921-03, Downing Avenue: Fairfield Avenue to Hoagland Avenue to Primco, Inc. in the amount of $69,714.83. Motion carried. Notice of award to be sent. Transportation Engineering Services to prepare contracts.

13. **AWARD:** Improvement Resolution #6936-03, Pontiac Street & Wayne Trace Intersections to Primco, Inc. in the amount of $1,258,961.22 which includes the total base bid and the total alternative bid. **PRIOR APPROVAL REQUESTED.**

Denise Porter Ross AWARD for Improvement Resolution #6936-03, Pontiac Street & Wayne Trace Intersections to Primco, Inc. in the amount of $1,258,961.22 that includes the total base bid and the total alternative bid. Motion carried. Notice of award to be sent. Transportation Engineering Services to prepare contracts.

14. **AWARD:** Improvement Resolution #6940-03, Colonial Heritage Addition to Key Concrete, Inc. to $81,758.00.

Denise Porter-Ross moved approval of AWARD for Improvement Resolution #6940-03, Colonial Heritage Addition to Key Concrete, Inc. to $81,758.00. Motion carried. Notice of award to be sent. Transportation Engineering Services to prepare contracts.

15. **AWARD:** Improvement Resolution #6943-03, Avalon Addition to Key Concrete in the amount of $68,595.00.

Denise Porter-Ross moved approval of AWARD for Improvement Resolution #6943-03, Avalon Addition to Key Concrete in the amount of $68,595.00. Motion carried. Notice of award to be sent. Transportation Engineering Services to prepare contracts.

16. Approval of Grant Agreement between the City of Fort Wayne Board of Public Works and Northcrest Civic Association for allocation of $1,325.00 from District #3 CEDIT Funds for reimbursement of four 10' picnic tables and enclosed pavilion roof with approximately 25 sheets of plywood and the addition of vandal-proof security lighting.

Denise Porter-Ross moved approval of Grant Agreement between the City of Fort Wayne Board of Public Works and Northcrest Civic Association for allocation of $1,325.00 from District #3 CEDIT Funds for reimbursement of four 10' picnic tables and enclosed pavilion roof with approximately 25 sheets of plywood and the addition of vandal-proof security lighting. Motion carried. Copy to be placed on file in vault.

17. **IMPROVEMENT RESOLUTION #6935-03,** Lakeshores Park Community.

Mario Trevino, Transportation Engineering Services, said that this is to improve Corline Street and Lakewood Drive, Shoreview Drive near Lakewood Drive, Ardis Street and Corline Street Intersection, and 1612 Shoreview Drive with concrete spot repair, ADA ramps, mulched seeding and restoration.

John Suarez moved approval of IMPROVEMENT RESOLUTION #6935-03, Lakeshores Park Community. Motion carried. Copy to be herein incorporated. Bids to be received on 5/21/03.

18. **IMPROVEMENT RESOLUTION #6939-03,** Miscellaneous Construction Package 2-B-03.

Mario Trevino, Transportation Engineering Services, said that this is to improve Woodrush Drive and Hightower Place Intersection, Woodthrush Drive and Tanbark Lane, Margot Way, Squires Place and Maple Terrace Parkway between Curwood Drive and Cranbrook Drive by spot replacement of concrete pavement, drive approaches, concrete curb, concrete curb ramps, subsurface drainage improvements, and restoration.

John Suarez moved approval of IMPROVEMENT RESOLUTION #6939-03, Miscellaneous Construction Package 2-B-03. Motion carried. Copy to be herein incorporated. Bids to be received on 5/29/03.

19. **IMPROVEMENT RESOLUTION #6945-03,** Tower Heights: 3100 Bowstring Pass and 2100-2200 Choctimar Trail.

Mario Trevino, Transportation Engineering Services, stated that this is to improve Tower Heights: 3100 Bowstring Pass and 2100-2200 Choctimar Trail.

John Suarez moved approval of IMPROVEMENT RESOLUTION #6945-03, Tower Heights: 3100 Bowstring Pass and 2100-2200 Choctimar Trail. Motion carried. Copy to be herein incorporated. Bids to be received on 5/21/03.

20. **IMPROVEMENT RESOLUTION #6948-03,** Wenonah Lane, 3500 Block.

Mario Trevino, Transportation Engineering Services, said that this is to improve the above by concrete pavement repairs, concrete drive approaches, concrete walks, new castings furnished and adjusted, mulched seeding and restoration.

John Suarez moved approval of IMPROVEMENT RESOLUTION #6948-03, Wenonah Lane, 3500 Block. Motion carried. Copy to be herein incorporated. Bids to be received on 5/21/03.

21. Approval of Encroachment License Agreement between the Board of Public Works and H.P. LaBrosse of Midtowne Place to place a sign to encroach into the right-of-way of 120-1/2 W. Washington Blvd. The Encroachment License Agreement Committee recommends approval.

Denise Porter-Ross moved approval of Encroachment License Agreement between the Board of Public Works and H.P. LaBrosse of Midtowne Place to place a sign to encroach into the right-of-way of 120-1/2 W. Washington Blvd. Motion carried. Copy to be sent to the Recorders Office.

22. Approval of Encroachment License Agreement between the Board of Public Works and Concordia Educational Association, Inc. acknowledging an existing encroachment into the City's utility easement.

Denise Porter-Ross moved approval of Encroachment License Agreement between the Board of Public Works and Concordia Educational Association, Inc. acknowledging an existing encroachment into the City's utility easement. Motion carried. Copy to be sent to the Recorders Office.

23. Approval of Change Order #1 & FINAL received from Garcia Concrete for Improvement Resolution #6920-03, Kern Valley increasing the contract price by $528.10. The original contract price was $22,090.00. The new contract price including this change order is $22,618.10.

Mario Trevino, Transportation Engineering Services, said that this change order reflects final quantities.

John Suarez moved approval of Change Order #1 & FINAL received from Garcia Concrete for Improvement Resolution #6920-03, Kern Valley increasing the contract price by $528.10. Motion carried. Contract price to be increased.

24. Approval of Construction Contract #6909-03 between Key Concrete, Inc. and the City of Fort Wayne for Oakhurst Park Addition in the amount of $8,074.50.

Denise Porter-Ross moved approval of Construction Contract #6928-03 between Widner Paving and the City of Fort Wayne for Miscellaneous Construction Package 3-A-03 in the amount of $15,027.00. Motion carried. Notice to proceed to be sent.

25. **IMPROVEMENT RESOLUTION #1597-2003,** Tree and Fence Removal.

Denise Porter-Ross moved approval of IMPROVEMENT RESOLUTION #1597-2003, Tree and Fence Removal. Motion carried. Copy to be herein incorporated.

26. **IMPROVEMENT RESOLUTION #679-02,** Northeast Area Cured-In-Place Sanitary Sewer Rehabilitation.

Mike Hicks, Planning & Design Services, said that this Resolution orders the rehabilitation of approx. 8,953 lf of 8", 10", 12", 14" and 15" sanitary sewer, using the cured-in-place method.

Denise Porter-Ross moved approval of IMPROVEMENT RESOLUTION #679-02, Northeast Area Cured-In-Place Sanitary Sewer Rehabilitation. Motion carried. Copy to be herein incorporated. Bids to be received on 5/28/03.

27. Approval of Professional Services Agreement Amendment Number 2 between the City of Fort Wayne and CTE Engineers (formerly Samuel L. Moore Associates for U. S. 33 Water Relocation for not-to-exceed fee of $21,000.00.

Mike Hicks, Planning & Design Services, said INDOT has changed the finished grade, on the final drawings, for the Washington Center section of the US 33 widening project. This grade change requires to City to move the existing water lines.

Since a portion of the water line is in a Utility easement, INDOT must reimburse the City for all associated costs of relocation. Of the not-to-exceed fee of $21,000.00, $15,000.00 will be reimbursed by INDOT.

John Suarez moved approval of Professional Services Agreement Amendment Number 2 between the City of Fort Wayne and CTE Engineers (formerly Samuel L. Moore Associates for U. S. 33 Water Relocation for not-to-exceed fee of $21,000.00. Motion carried. Copy to be placed on file in vault. Notice to proceed to be sent.

28. Approval of Professional Services Agreement between the City of Fort Wayne and the Secant Group, LLC for Program & Project Management for City Utilities Capital Regulatory and Operating Programs. The not-to-exceed amount is $133,040.00.

Greg Meszaros, stated that the purpose of this agreement is to provide engineering and management services for various City Utilities Capital Regulatory and Operating Programs under the direction of the Director of Public Works and Utilities. The program and project management services will include interaction with various City Departments, staff, regulatory agencies and other affected parties.

Denise Porter-Ross moved approval of Professional Services Agreement between the City of Fort Wayne and the Secant Group, LLC for Program & Project Management for City Utilities Capital Regulatory and Operating Programs. Motion carried. Copy to be placed on file on vault. Notice to proceed to be sent.

29. Approval of Revised continuance of Professional Services Agreement between SES and the City of Fort Wayne for Corrective Action at the Water Pollution Control Plant on Dwenger Avenue. These additional scope items are estimated to cost $36,000.00.

John Suarez moved approval of Revised continuance of Professional Services Agreement between SES and the City of Fort Wayne for Corrective Action at the Water Pollution Control Plant on Dwenger Avenue. These additional scope items are estimated to cost $36,000.00. Motion carried. Copy to be placed on file in vault. Notice to proceed to be sent.

30. Approval of Amendment No. 1 to Engineering Services Agreement Package No. 1 Preliminary and Secondary Treatment Improvements between the City of Fort Wayne and Donohue & Associates, Inc. The total contract price is increased by $48,896.94, resulting in a new contract total of $1,789,968.94.

Bill Maxwell, Planning & Design Services, stated that this amendment includes 8 separate changes to the Professional Services Agreement Scope of Work, and the associated adjustment in compensation for these scope changes.

John Suarez moved approval of Amendment No. 1 to Engineering Services Agreement Package No. 1 Preliminary and Secondary Treatment Improvements between the City of Fort Wayne and Donohue & Associates, Inc. Motion carried. Copy to be placed on file in vault. Notice to proceed to be sent.

31. Approval of Amendment #1 to Agreement between the City of Fort Wayne and DLZ Indiana, LLC for the design of Lake: Maycrest to Stanley – Water Main Replacement. The not-to-exceed amount for this amendment is $30,700.00 and the revised contract amount is $77,800.00. Planning & Design Services recommend approval.

Matthew Wirtz, Planning & Design Services, stated that this Amendment combines street widening and the water main relocation.

Denise Porter-Ross moved approval of Amendment #1 to Agreement between the City of Fort Wayne and DLZ Indiana, LLC for the design of Lake: Maycrest to Stanley – Water Main Replacement. Motion carried. Copy to be placed on file in vault. Notice to proceed to be sent.

32. Approval of Change Order #1 & FINAL received from Dafforn Excavating, Inc. for Old Mill Road Water Main Replacement decreasing the contract amount by $4,687.85. The original contract price was $137,507.70. The new contract price including this change order is $132,819.85.

Ron Sheppard, Engineering Support Services, said that this Change Order is for a final quantities adjustment.

John Suarez moved approval of Change Order #1 & FINAL received from Dafforn Excavating, Inc. for Old Mill Road Water Main Replacement decreasing the contract amount by $4,687.85. Motion carried. Contract price to be decreased.

33. Approval of Water Contract #2003-W-04 between Indiana National Guard and the Fort Wayne Water Utility to construct water main systems to serve Air Guard Aircraft Shelter-Water Main Extension. This project is inside the City (PRIVATELY FUNDED).

Mary Jane Slaton, Development Services, stated that said water main to include 1140 lf of 12" ductile iron pipe.

Denise Porter-Ross moved approval of Water Contract #2003-W-04 between Indiana National Guard and the Fort Wayne Water Utility to construct water main systems to serve Air Guard Aircraft Shelter-Water Main Extension. Motion carried. Water main systems to be constructed.

34. Approval of Sewer Contract #2003-S-08 between Timothy S. Harris and Joanna M. Harris and the Fort Wayne Water Pollution Control Utility to construct a local sanitary sewer system to serve Tonkel Road-Harris. This project is outside the City. This contract contains provisions for Waiver of Remonstrance against annexation. This project is in a green zone (PRIVATELY FUNDED);

Mary Jane Slaton, Development Services, stated that said sewer to include 452 lf of 8" PVC pipe.

John Suarez moved approval of Sewer Contract #2003-S-08 between Timothy S. Harris and Joanna M. Harris and the Fort Wayne Water Pollution Control Utility to construct a local sanitary sewer system to serve Tonkel Road-Harris. Motion carried. Sanitary sewer system to be constructed.

35. Approval of Construction Contract #1515-2003 between Land Construction and the City of Fort Wayne for Camp Scott Excess Water Outlet in the amount of $504,815.00.

Denise Porter-Ross moved approval of Construction Contract #1515-2003 between Land Construction and the City of Fort Wayne for Camp Scott Excess Water Outlet in the amount of $504,815.00. Motion carried. Contract to be sent to City Council.

36. Approval of Authorization for Full Release of Escrow received from Dafforn Excavating in amount of $13,897.52 for Old Mill Road Water Main Replacement project. The Escrow Agent is Grabill Bank.

John Suarez moved approval of Authorization for Full Release of Escrow received from Dafforn Excavating in amount of $13,897.52 for Old Mill Road Water Main Replacement project. Motion carried. Release of Escrow to be sent to the Escrow Agent.

37. Approval of request received from Victoria Neal, 910 Prange Drive to sign up for the Barrett Law process in connection with Improvement Resolution #6860-02.

Denise Porter-Ross moved approval of request received from Victoria Neal, 910 Prange Drive to sign up for the Barrett Law process in connection with Improvement Resolution #6860-02. Motion carried. Request approved.

38. Approval of write-off of City Utilities delinquent revenue accounts for the month of February 2003 in the amount of $25,853.28.

John Suarez moved approval of write-off of City Utilities delinquent revenue accounts for the month of February 2003 in the amount of $25,853.28. Motion carried. Write-off to be sent to a collection agency.

39. Approval of write-off of City Utilities miscellaneous delinquent accounts in the amount of $13,024.11.

Denise Porter-Ross moved approval of write-off of City Utilities delinquent revenue accounts for the month of February 2003 in the amount of $25,853.28. Motion carried. Write-off to be sent to a collection agency.

40. Approval of Barrett Law Claims in the amount of $20,479.77.

John Suarez moved approval of Barrett Law Claims in the amount of $20,479.77. Motion carried. Barrett Law Claims to be sent to the Department of Finance.

41. Approval of General Accounting Claims in the amount of $3,078.523.21.

Denise Porter-Ross moved approval of Claims in the amount of $3,078,523.21. Motion carried. General Accounting Claims to be sent to the Department of Finance.

42. Old Business:

None.

43. New Business:

Rick Schroeder of Fluid Waste Services stated that he did not fill out the Addendum on the bid for Res. 87-47-15 (6) with the work allowance $20,000.00 instead of $5,000.00.

Greg Meszaros, Director of the Division of Public Works/Utilities stated that the Board would take this matter under advisement.

Meeting adjourned at 10:00 a.m.

Robert Kennedy

Robert P. Kennedy, Chairman

John Suarez, Member

Denise Porter-Ross

Denise Porter-Ross, Member

ATTEST: Carolyn S. Newport

Carolyn S. Newport, Clerk

May 7, 2003

Board of Public Works
Hearing held at 10:00 a.m.
Omni Room – Room 250

Robert P. Kennedy, Chairman
Denise Porter-Ross, Member
John Suarez, Member

Carolyn S. Newport, Clerk

PRESENT: All Members & Clerk; Jeff Grogg & Mario Trevino, Transportation Engineering Services; Marj Enders, Barrett Law Accountant; Greg Meszaros, Director of Board of Public Works/Utilities.

1. Preliminary Hearing to confirm Improvement Resolution #6944-03, Arlington Avenue: Oakdale to Rudisill. Jeff Grogg is the project engineer.

   Jeff Grogg explained the scope of the project and Marj Enders explained the Barrett Law process.

   John Suarez moved to confirm Improvement Resolution #6944-03, Arlington Avenue: Oakdale to Rudisill. Motion carried. Resolution confirmed. **REMONSTRANCE PERIOD TO BE UP ON MAY 19, 2003 AT 5:00 P.M.**

Meeting adjourned at 10:20 a.m.

Robert Kennedy
Robert P. Kennedy, Chairman

John Suarez, Member

Denise Porter-Ross
Denise Porter-Ross, Member

ATTEST: Carolyn S. Newport
Carolyn S. Newport, Clerk

BOARD OF STORMWATER MANAGEMENT
ROOM 250—OMNI ROOM
MEETING HELD AT 9:00 A.M.

GREG MESZAROS, CHAIRMAN
JOHN SUAREZ, MEMBER
DENISE PORTER-ROSS, MEMBER

CAROLYN S. NEWPORT, CLERK

PRESENT: All Members & Clerk; David Ross, City Engineer; Mario Trevino, Transportation Engineering Services; Kristine Degabriele, Associate City Attorney; Ken Nicolet, Customer Service, BOW/Utilities, Justin Bruegger, DOPW; Charles Bailey & Carl Wilson, Contract Compliance; Ron Sheppard & Bill Maxwell, Engineering Support Services; Al Lichtsinn, Street Light Engineering; John Perlich, PIO; Mike Hicks & Matthew Wirtz, Planning & Design; Jim Howard, Purchasing Director/Attorney; Robert P. Kennedy, Chairman, Board of Public Works.

1. **RESOLUTION** of the Stormwater Board of the City of Fort Wayne, Indiana confirming Resolution #90-30-2 of the Stormwater Board Appropriating and Condemning Real Property for use by the City of Fort Wayne, Indiana for use by the City of Fort Wayne for Construction of the Hanna-Creighton Street Storm Sewer Improvement Project and Provision of Storm Sewer Detention Basin.

   Jim Howard, Attorney, apprised the Board of the following: on January 29, 2003, the Board adopted Resolution #90-30-22 of the Stormwater Board Appropriating and Condemning Real Property for use by the City of Fort Wayne, Indiana for use by the City of Fort Wayne for Construction of the Hanna-Creighton Street Storm Sewer Improvement Project and Provision of Storm Sewer Detention Basin. On February 19, 2003 the Board held a public hearing and received or heard remonstrance from persons interested in or affected by the Board's proceedings.

   Today, the Board, after considering the remonstrances, in this Resolution confirms the Original Resolution.

   I.C. 8-1-5-5-17 requires the Board to prepare a list or roll of all owners or holders of property, and their respective interest therein, sought to be taken or to be injuriously affected. The Board has prepared a list of all property owners and their respective interest in the property sought. This Indiana Code requires the Board to state the maximum proposed damages/cost of the land to be purchased. I.C. 36-1-10.5-6 provides that a purchasing agent for a political subdivision may not purchase any land or structure for a price great than the average of 2 appraisals received in accordance with that section. The Board has received two land appraisals for both subject parcels of property and has done so in accordance with I.C. 36-1-10-5-5. The appraisals were performed by Verne Mitchell and Misner Associates and the maximum proposed cost property of the Slaytons is $32,000 and the maximum proposed cost of the Loray Enterprises property is $102,500 and relocation costs, as necessary.

   The Resolution presented today confirms and reaffirms its desire to condemn the property set forth in the Original Resolution and sets the day of May 28, 2003 at 9:00 a.m. to receive or hear further remonstrances from the original remonstrators regarding the valuation of said property. At that time, the Board shall consider any such remonstrances and shall take action confirming or modifying this resolution.

   The Clerk of the Board is directed and authorized to send notice of this hearing to those persons listed on Exhibit A of this Resolution and publish notice of this Resolution in at least one newspaper of general circulation in the City of Fort Wayne once each week for 2 consecutive weeks, the last publication to be at least 10 days before May 28, 2003.

   Denise Porter-Ross stated that it was agreed upon by the Board that John Suarez could vote on matters regarding this Resolution since he was furnished all transcripts and written material regarding the first hearing.

Denise Porter-Ross moved to confirm RESOLUTION of the Stormwater Board of the City of Fort Wayne, Indiana confirming Resolution #90-30-2 of the Stormwater Board Appropriating and Condemning Real Property for use by the City of Fort Wayne, Indiana for use by the City of Fort Wayne for Construction of the Hanna-Creighton Street Storm Sewer Improvement Project and Provision of Storm Sewer Detention Basin. Motion carried. Copy to be herein incorporated.

2. Approval of recommendation received from Engineering Support Services to accept the work performed by Bruce Wilds on Storm Sewer Contract #2001-ST-01, Wilds Point Office Complex as an integral part of the City's storm drainage system.

   John Suarez moved approval of recommendation received from Engineering Support Services to accept the work performed by Bruce Wilds on Storm Sewer Contract #2001-ST-01, Wilds Point Office Complex as an integral part of the City's storm drainage system. Motion carried. Acceptance letter to be sent.

3. Approval of Board of Stormwater Management Minutes of April 30, 2003.

   Denise Porter-Ross moved approval of Board of Stormwater Management Minutes of April 30, 2002. Motion carried. Minutes approved.

4. Old Business.

   None.

5. New Business.

   None.

Meeting adjourned at 10:15 a.m.

Greg Meszaros, Chairman

John Suarez, Member

Denise Porter-Ross, Member

ATTEST: Carolyn S. Newport

Carolyn S. Newport, Clerk

MAY 14, 2003

BOARD OF PUBLIC WORKS
ROOM 250—OMNI ROOM
MEETING HELD AT 9:00 A.M.

ROBERT P. KENNEDY, CHAIRMAN
JOHN SUAREZ, MEMBER
DENISE PORTER-ROSS, MEMBER

CAROLYN S. NEWPORT, CLERK

PRESENT: Robert Kennedy, Denise Porter-Ross, Carolyn Newport, BOPW; Greg Meszaros, Director, Division of Public Works/Utilities; Kristine Degabriele, Associate City Attorney; David Ross, City Engineer; Mario Trevino, Transportation Engineering Services; Charles Bailey, Contract Compliance; Mark Gensic, Mike Hicks, Pat Callahan, Planning & Design; Mary Jane Slaton, Jack Suter, and Tom Pallone, Development Services, Al Lichtsinn, Street Light Engineering. John Suarez, absent.

1. Approval of Board of Stormwater Management Minutes of May 7, 2003.
Denise Porter-Ross moved approval of Board of Stormwater Management Minutes of May 7, 2003. Motion carried. Minutes approved.

2. **IMPROVEMENT RESOLUTION #1598-03 –** Dale Drive Stormwater Drainage Improvement.

   Tom Pallone stated that this Resolution is for approval to make spot drainage improvements in an area identified through the Customer Service Surveys. The improvement is to be performed by outside contractor at lump sum cost of $11,643.78.
   Denise Porter-Ross moved approval of Improvement Resolution #1598-03. Motion carried. Copy to be herein incorporated.

3. Approval of Change Order #1 & FINAL received from Crosby Excavating for Contract #672-02, Ventura Lane Storm Sewer project decreasing the contract price by $10,650.00. The original contract price was $56,268.00. The new contract price including this change order is $45,618.00.

   Ron Sheppard, Engineering Support Services, said that not as much restoration was needed so the project was finished under the base bid.
   Denise Porter-Ross moved approval of Change Order #1 & FINAL received from Crosby Excavating for Contract #672-02, Ventura Lane Storm Sewer project decreasing the contract price by $10,650.00. Motion carried. Contract price to be decreased.

4. Old Business.

   None.

5. New Business.

   None.

Meeting adjourned at 9:55 a.m.

Greg Meszaros, Chairman

John Suarez, Member

Denise Porter-Ross, Member

ATTEST: Carolyn S. Newport

May 14, 2003

Board of Public Works
Hearing held at 10:00 a.m.
Omni Room – Room 250

Robert P. Kennedy, Chairman
Denise Porter-Ross, Member
John Suarez, Member

Carolyn S. Newport, Clerk

PRESENT: Robert P. Kennedy, Denise Porter-Ross, Member, Carolyn S. Newport, BOPW; Tom Pallone, Engineering Support Services; Marj Enders, Barrett Law Accountant. John Suarez, absent

1. Preliminary Hearing to confirm, rescind, or modify Improvement Resolution #1554-2002, 4700 Block Stellhorn Road Sanitary. Tom Pallone is the project engineer.

   Tom Pallone explained the scope of the project and Marj Enders explained the Barrett Law process.
   Denise Porter-Ross moved to confirm Improvement Resolution #1554-2002, 4700 Block Stellhorn Road Sanitary. Motion carried. Bids to be received on June 4, 2003.

Hearing adjourned at 10:10 a.m.

Robert P. Kennedy, Chairman

John Suarez, Member

Denise Porter-Ross, Member

ATTEST: Carolyn S. Newport, Clerk

BOARD OF PUBLIC WORKS
ROOM 250—OMNI ROOM
MEETING HELD AT 9:00 A.M.

ROBERT P. KENNEDY, CHAIRMAN
JOHN SUAREZ, MEMBER
DENISE PORTER-ROSS, MEMBER

CAROLYN S. NEWPORT, CLERK

PRESENT: Robert Kennedy, Denise Porter-Ross, Carolyn Newport, BOPW; Greg Meszaros, Director, Division of Public Works/Utilities; Kristine Degabriele, Associate City Attorney; David Ross, City Engineer; Mario Trevino, Transportation Engineering Services; Charles Bailey, Contract Compliance; Mark Gensic, Mike Hicks, Pat Callahan, Planning & Design; Mary Jane Slaton, Jack Suter, and Tom Pallone, Development Services, Al Lichtsinn, Street Light Engineering. John Suarez, absent.

1. RECEIVE BIDS: Resolution#1566-03: Effie Drive Sanitary Sewer Extension.

BIDDERS	BASE BID
Bercot, Inc.	$117,883.00
Crosby Excavating	**$98,794.50**
Fleming Excavating	$144,633.88
Reinhart's Excavating	$112,463.76
Engineers Estimate	**$123,880.00**

Engineering Support Services to tabulate and report.

2. RECEIVE BIDS: Resolution #1558-03: ITT- Schick Street Storm Sewer Improvement.

BIDDERS	BASE BID
All Star Construction	$232,688.25
Bercot, Inc.	**$151,927.00**
Fleming Excavating	$157,602.16
Engineers Estimate	**$147,725.00**

Engineering Support Services to tabulate and report.

3. Resolution#6932-03: Gilbert Drive: Deforest Avenue to Kimberly Road.

BIDDERS	BASE BID
Benchmark Construction	$96,386.00
Brooks Construction Co., Inc.	$107,580.25
Hipskind Concrete	**$90,435.00**

Wayne Asphalt	$95,793.75
Engineers Estimate	**$98,975.00**

Transportation Engineering Services to tabulate and report.

4. RECEIVE BIDS: RECEIVE BIDS: Resolution#6937-03: Arlington Park, Phase II.

BIDDERS	BASE BID
Brooks Construction Co., Inc.	$130,700.10
Garcia Concrete Construction	$95,068.00
Hipskind Concrete	$111,894.30
Key Concrete	$99,015.00
Newell Construction	**$94,524.00**
Engineers Estimate	**$132,112.00**

Transportation Engineering Services to tabulate and report.

5. Approval of Board of Public Works Minutes of May 7, 2003 and Preliminary Hearing Minutes of May 7, 2003 for Resolution #6944-03, Arlington Avenue: Oakdale to Rudisill and Resolution #6908-03 Misc. Construction Pkg. 4-A-03.
Denise Porter-Ross moved approval of Board of Public Works Minutes of May 7, 2003 and Preliminary Hearing Minutes of May 7, 2003 for Resolution #6944-03, Arlington Avenue: Oakdale to Rudisill and Resolution #6908-03 Misc. Construction Pkg. 4-A-03. Motion carried. Minutes approved.

6. **AWARD:** Contract #87-43-15 (6) Sewer Inspection & Cleaning to Dreier & Maller, Inc. in the amount of $82,180.40. Contract Compliance concurs with this award.
Denise Porter-Ross moved approval of AWARD for Contract #87-43-15 (6) Sewer Inspection & Cleaning to Dreier & Maller, Inc. in the amount of $82,180.40. Motion carried. Notice of award to be sent. Engineering Services to prepare contracts.

7. **AWARD:** Improvement Resolution #6946-03, Barthold Street: Third Street to Spring Street to Brooks Construction Co., Inc. in the amount of $72,500.50. Contract Compliance concurs with this award.
Denise Porter-Ross moved approval of AWARD for Improvement Resolution #6946-03, Barthold Street: Third Street to Spring Street to Brooks Construction Co., Inc. in the amount of $72,500.50. Motion carried. Notice of award to be sent. Transportation Engineering Services to prepare contracts.

8. **AWARD:** Improvement Resolution #6949-03, Crown Colony to Hipskind Concrete Corp. in the amount of $108,475.20. **PRIOR APPROVAL REQUESTED.** Contract Compliance concurs with this award.
Denise Porter-Ross moved approval of AWARD for Improvement Resolution #6949-03, Crown Colony to Hipskind Concrete Corp. in the amount of $108,475.20. Motion carried. Notice of award to be sent. Transportation Engineering Services to prepare contracts.

9. **AWARD:** Improvement Resolution #6950-03, Miscellaneous Construction Pkg. 6-A-03 to Garcia Concrete Construction, Inc. in the amount of $24,464.00. Contract Compliance concurs with this award.

Denise Porter-Ross moved approval of AWARD for Improvement Resolution #6950-03, Miscellaneous Construction Pkg. 6-A-03 to Garcia Concrete Construction, Inc. in the amount of $24,464.00. Motion carried. Notice of award to be sent. Transportation Engineering Services to prepare contracts.

10. **AWARD:** Improvement Resolution #6951-03, Clover Lane to Primco, Inc. in the amount of $19,453.18. Contract Compliance concurs with this award.
Denise Porter-Ross moved approval of AWARD for Improvement Resolution #6951-03, Clover Lane to Primco, Inc. in the amount of $19,453.18. Motion carried. Notice of award to be sent. Transportation Engineering Services to prepare contracts.

11. **IMPROVEMENT RESOLUTION #287-03,** 2003 CEDIT Neighborhood Street Light Improvement.

Al Lichtsinn, Street Light Engineering, stated that this Resolution is for an aerial street light system in three neighborhoods, more specifically defined as: 2100 to 2600 Engle Road.
Denise Porter-Ross moved approval of IMPROVEMENT RESOLUTION #287-03, 2003 CEDIT Neighborhood Street Light Improvement. Motion carried. Copy to be herein incorporated.

12. **IMPROVEMENT RESOLUTION #6954-03,** Miscellaneous Construction Pkg. 1-A-03.

Mario Trevino, Transportation Engineering Services, said that the Resolution is for the following improvement: 3500 block of Hastings Road: road curb, drive approaches, and storm sewer rehabilitation; Main Street from Clay Street to Clinton Street: spot repair curb on center island.
Denise Porter-Ross moved approval of IMPROVEMENT RESOLUTION #6954-03, Miscellaneous Construction Pkg. 1-A-03. Motion carried. Copy to be herein incorporated. Bids to be received on 5/28/03.

13. **IMPROVEMENT RESOLUTION #6955-03,** Hale Avenue: Brooklyn Avenue to Juliette Avenue.

Mario Trevino, Transportation Engineering Services, said that this Resolution is for the improvement of Hale Avenue: Brooklyn Avenue to Juliette Avenue by milling and resurfacing street with asphalt, construction of new concrete curbs, drive approaches, yard walks and sidewalk, mulched seeding and restoration.
IMPROVEMENT RESOLUTION #6955-03, Hale Avenue: Brooklyn Avenue to Juliette Avenue. Motion carried. Copy to be herein incorporated. Bids to be received on 6/4/03.

14. Change Order #3 & FINAL received from All Star Construction & Excavating for Improvement Resolution #6736-01, Clinton Street – Coldwater to Coliseum increasing the contract amount by $151,106.74. The original contract price was $776,888.50. The new contract price including this change order is $1,087,298.74.

David Ross, City Engineer, apprised the Board of the following: this change order is necessary because of relocation of a water main, relocation of 8" high-pressure gas line, maintenance of traffic, and increases in bid item units necessary to construct the project.
Denise Porter-Ross moved approval of Change Order #3 & FINAL received from All Star Construction & Excavating for Improvement Resolution #6736-01, Clinton Street – Coldwater to Coliseum increasing the contract amount by $151,106.74. Motion carried. Contract price to be increased.

15. Approval of Construction Contract #6919-03 between Hipskind Concrete Corp. and the City of Fort Wayne for Pasadena Drive: Beaver Avenue to Tacoma Avenue in the amount of $77,897.50.
Denise Porter-Ross moved approval of Construction Contract #6919-03 between Hipskind Concrete Corp. and the City of Fort Wayne for Pasadena Drive: Beaver Avenue to Tacoma Avenue in the amount of $77,897.50. Motion carried. Notice to proceed to be sent.

16. Approval of Construction Contract #6930-03 between Garcia Concrete Construction, Inc. and the City of Fort Wayne for North Highlands in the amount of $120,368.05.

Denise Porter-Ross moved approval of Construction Contract #6930-03 between Garcia Concrete Construction, Inc. and the City of Fort Wayne for North Highlands in the amount of $120,368.05. Motion carried. Contract to be sent to City Council.

17. Approval of recommendation received from Transportation Engineering Services to accept the work performed by Wayne Asphalt & Const. Co., Inc. for Improvement Resolution #6881-02, Allendale Drive (Belle Vista to Gilbert Drive).
Denise Porter-Ross moved approval of recommendation received from Transportation Engineering Services to accept the work performed by Wayne Asphalt & Const. Co., Inc. for Improvement Resolution #6881-02, Allendale Drive (Belle Vista to Gilbert Drive). Motion carried. Acceptance letter to be sent.

18. Approval of Authorization for Release of Escrow received from Wayne Asphalt & Const. Co., Inc. for Improvement Resolution #6881-02, Allendale Drive (Belle Vista to Gilbert Drive) in the amount of $17,438.80. The Escrow Agent is Fifth Third Bank.
Denise Porter-Ross moved approval of Authorization for Release of Escrow received from Wayne Asphalt & Const. Co., Inc. for Improvement Resolution #6881-02, Allendale Drive (Belle Vista to Gilbert Drive) in the amount of $17,438.80. Motion carried. Release to be sent to the Escrow Agent.

19. **IMPROVEMENT RESOLUTION #1582-03,** Northwest Pump Station No. 1 – Interim Controls.

Mark Gensic, Planning & Design, said that this Resolution is for construction of a new Automation Direct programmable logic controller with local operator interface, and all mechanical and electrical equipment as necessary to complete this project.
Denise Porter-Ross moved approval of Improvement Resolution #1582-02. Motion carried. Copy to be herein incorporated.

20. **RESOLUTION** of the Board of Public Works of the City of Fort Wayne, Indiana Adopting a Policy Regarding the Rates, Terms and Conditions of Service Provided to Wholesale Customers Without Valid Wholesale Sewage Treatment Agreements or who are in Default of Their Agreements.

Greg Meszaros, Director of Board of Public Works/Utilities, apprised the Board of the following: the Board has determined that many of the City's Agreements with various entities do not contain specific provisions identifying the rates, rules, and regulations to be applied to that wholesale customer upon expiration of its Agreement , or when it is in substantial default of its Agreement.. The Board has determined that applying existing, published rates, rule and regulations to any customer receiving wholesale treatment service upon failure to renegotiate a new agreement within 6 months after expiration of its Agreement, or that is in substantial default of its Agreement is the most reasonable way to determine and provide for the property rates, rules and regulations for service to that customer. This resolution establishes such a policy.
Denise Porter-Ross moved approval of a RESOLUTION of the Board of Public Works of the City of Fort Wayne, Indiana Adopting a Policy Regarding the Rates, Terms and Conditions of Service Provided to Wholesale Customers Without Valid Wholesale Sewage Treatment Agreements or who are in Default of Their Agreements. Motion carried. Copy to be herein incorporated.

21. Approval of Professional Services Agreement between American Consulting, Inc. and the Fort Wayne Water Pollution Control Utility for Construction Inspection Services for private developer and utility capital projects. Engineering Support Services recommend approval.
Denise Porter-Ross moved approval of Professional Services Agreement between American Consulting, Inc. and the Fort Wayne Water Pollution Control Utility for Construction Inspection Services for private developer and utility capital projects. Motion carried. Copy to be placed on file in vault. Notice to proceed to be sent.

22. Approval of Construction Contract #1553-03 between All Star Construction and the City of Fort Wayne for Indian Village Phase I Water Main Replacement in the amount of $357,033.40. **PRIOR APPROVAL REQUESTED.**

Denise Porter-Ross moved approval of Construction Contract #1553-03 between All Star Construction and the City of Fort Wayne for Indian Village Phase I Water Main Replacement in the amount of $357,033.40. Motion carried. Contract to be sent to City Council.

23. Approval of Agreement Amending the Water Pollution Control Treatment Agreement between the City of Fort Wayne and the Leo-Cedarville Regional Sewer District.

Mary Jane Slaton, Development Services, said that this agreement increases the volume limit for the amount of sewage the district can send to the City for treatment.
Denise Porter-Ross moved approval of Agreement Amending the Water Pollution Control Treatment Agreement between the City of Fort Wayne and the Leo-Cedarville Regional Sewer District. Motion carried. Copy to be placed on file in vault.

24. Approval of Water Contract #2003-W-05 between Fort Wayne-Allen County Airport Authority and the Fort Wayne Water Utility to construct water main systems to serve Northwest Quadrant. This project is located inside the City (PRIVATE/UTILITY CAPITAL).

Mary Jane Slaton, Development Services, stated that said water line to include 4860 l.f. of 12" ductile iron pipe.
Denise Porter-Ross moved approval of Water Contract #2003-W-05 between Fort Wayne-Allen County Airport Authority and the Fort Wayne Water Utility to construct water main systems to serve Northwest Quadrant. Motion carried. Water main systems to be constructed.

25. Approval of Sanitary Sewer Contract #2003-S-09 between Fort Wayne-Allen County Airport Authority and the Fort Wayne Water Pollution Control Utility to construct a local sanitary sewer system to serve Fort Wayne Airport – Northwest Quadrant. This project is inside the City. This project is in a green zone (PRIVATELY FUNDED).

Mary Jane Slaton, Development Services, stated that said sewer to include 1,994 lf of 8" PVC pipe.
Denise Porter-Ross moved approval of Sanitary Sewer Contract #2003-S-09 between Fort Wayne-Allen County Airport Authority and the Fort Wayne Water Pollution Control Utility to construct a local sanitary sewer system to serve Fort Wayne Airport – Northwest Quadrant. Motion carried. Sanitary sewer system to be constructed.

26. Approval of Sanitary Sewer Contract #2003-S-10 between Board of Commissioners of Allen County, Indiana and the Fort Wayne Water Pollution Control Utility to construct a local sanitary sewer system to serve North Pointe Plaza Extension – West. This project is outside the City. This contract contains provisions for Waiver of Remonstrance against annexation. This project is in a green zone (PRIVATELY FUNDED).

Mary Jane Slaton, Development Services, stated that said sewer to include 148 lf of 8" PVC pipe.
Denise Porter-Ross moved approval of Sanitary Sewer Contract #2003-S-10 between Board of Commissioners of Allen County, Indiana and the Fort Wayne Water Pollution Control Utility to construct a local sanitary sewer system to serve North Pointe Plaza Extension – West. Motion carried. Sanitary sewer system to be constructed.

27. Approval of Sanitary Sewer Contract #2003-S-11 between P.T. Development Corp. and the Fort Wayne Water Pollution Control Utility to construct a local sanitary sewer system to serve Oak Glen Section IV. This project is outside the City. This contract contains provisions for Waiver of Remonstrance against annexation. This project is in a green zone (PRIVATELY FUNDED).

Mary Jane Slaton, Development Services, stated that said sewer to include 678 lf of 8" PVC pipe.
Denise Porter-Ross moved approval of Sanitary Sewer Contract #2003-S-11 between P.T. Development Corp. and the Fort Wayne Water Pollution Control Utility to construct a local sanitary sewer system to serve Oak Glen Section IV. Motion carried. Sanitary sewer system to be constructed.

28. Approval of recommendation received from Engineering Support Services to accept the work performed on the following:

- Res. #1110-02, Old Mill Water Main Replacement – Dafforn Excavating, Inc.
- Contract #2002-S-21, Butler Ridge Sanitary Extension – Liberty Construction
- Contract #2002-3-32, Canyon's of North Pointe Woods Sanitary – Scheidleman Excavating.
- Contract #2002-W-15, Canyon's of North Pointe Woods Water – Scheidleman Excavating

Denise Porter-Ross moved to accept the work performed on the above-mentioned contracts. Motion carried. Acceptance letter to be sent.

29. Approval of Request received from Jennifer Wiebke of 302 Corbin Lane to sign up for the Barrett Law Process in connection with Improvement Resolution #6755-01.
Denise Porter-Ross moved approval of Request received from Jennifer Wiebke of 302 Corbin Lane to sign up for the Barrett Law Process in connection with Improvement Resolution #6755-01. Motion carried. Request approved.

30. Approval of General Accounting Claims in the amount of $3,440,130.27.
Denise Porter-Ross moved approval of General Accounting Claims in the amount of $3,440,130.27. Motion carried. Claims to be sent to the Department of Finance.

31. Old Business.

None.

32. New Business.

None.

EMERGENCY RESOLUTION for repair of combination sewer line at 2405 Paul Street.
Mike Hicks, Planning & Design, said that this Resolution is for repair of a 12" combination sewer that partially collapsed.
Denise Porter-Ross moved approval of EMERGENCY RESOLUTION for repair of combination sewer line at 2405 Paul Street. Motion carried. Copy to be herein incorporated. Purchasing to issue Emergency Purchase Order.

Approval of plan cover sheet for Ardmore Avenue Extension from Indianapolis Road to Lower Huntington Road.

David Ross, City Engineer, said proposed improvements include new roadway, new water main, two new traffic control signatures, wetland mitigation, and street lights.
Denise Porter-Ross moved approval of plan cover sheet for Ardmore Avenue Extension from Indianapolis Road to Lower Huntington Road. Motion carried. Plan cover sheet approved.

Meeting adjourned at 9:45 a.m.

Robert P. Kennedy, Chairman

John Suarez, Member

Denise Porter-Ross, Member

ATTEST: Carolyn S. Newport, Clerk

BOARD OF PUBLIC WORKS
ROOM 250—OMNI ROOM
MEETING HELD AT 9:00 A.M.

ROBERT P. KENNEDY, CHAIRMAN
JOHN SUAREZ, MEMBER
DENISE PORTER-ROSS, MEMBER

CAROLYN S. NEWPORT, CLERK

PRESENT: All Members & Clerk; Greg Meszaros, Director, Division of Public Works/Utilities; James Howard, Purchasing Director; Kristine Degabriele, Associate City Attorney; Charles Bailey & Carl Wilson, Contract Compliance; Dan Brenner, Property Manager; David Ross, City Engineer; Mario Trevino, Transportation Engineering Services; John Perlich, PIO; Mark Gensic, Tom Gountras, Judy Cleland & Doug Fasick, Planning & Design; Ron Sheppard & Keith Hood, Development Services; Jason Dafforn, Dafforn Excavating.

1. RECEIVE BIDS: Resolution#1537-03: Lime Storage Building Addition Biosolids Facility.

BIDDERS	BASE BID
Hamilton Hunter Builders, Inc.	$233,922.00
Strebig Construction, Inc.	**$215,378.00**
Weigand Construction Co., Inc.	$248,000.00
Engineers Estimate	**$250,000.00**

Engineering Support Services to tabulate and report.

2. RECEIVE BIDS: Resolution#1551-03: Vance Ave.- Reed Road Storm Drainage Improvement.

BIDDERS	BASE BID
All Star Construction	$41,650.00
Bercot, Inc.	$39,784.00
Everett Drainage & Excavating	**$39,628.90**
Fleming Excavating	$50,230.60
Engineers Estimate	**$39,850.00**

Engineering Support Services to tabulate and report.

3. RECEIVE BIDS: 1571-03: Secondary Clarifiers' Drive Units & Skimmer Replacement.

BIDDERS	BASE BID	ALTERNATE BID
Indiana Construction	**$104,000.00**	**$27,600.00**
Maddox Industrial Contractors	$144,000.00	$135,000.00
Shook H&E	$205,000.00	$75,000.00

Engineers Estimate	**$145,000.00**	

Engineering Support Services to tabulate and report.

4. RECEIVE BIDS: Resolution#6935-03: Lakeshores Park Community.

BIDDERS	BASE BID
Garcia Concrete Construction	$33,205.00
Hipskind Concrete	$44,995.00
Key Concrete	**$30,195.00**
Primco, Inc.	$31,351.63
Engineers Estimate	**$36,145.00**

Transportation Engineering Services to tabulate and report.

5. RECEIVE BIDS: Resolution#6945-03: Tower Heights: 3100 Bowstring Pass and 2100-2200 Choctimar Trail.

BIDDERS	BASE BID
Brooks Construction Co., Inc.	$97,460.00
Garcia Concrete Construction	$58,319.00
Hipskind Concrete	$65,907.50
Key Concrete, Inc.	**$51,515.00**
Newell Construction	$60,900.00
Engineers Estimate	**$61,358.00**

Transportation Engineering Services to tabulate and report.

6. RECEIVE BIDS: Wenonah Lane, 3500 Block.

BIDDERS	BASE BID
Garcia Concrete Construction	$47,957.50
G.E. Minear	$41,257.00
Hipskind Concrete	$44,374.30
Key Concrete, Inc.	**$33,712.00**
Engineers Estimate	**$38,511.50**

Transportation Engineering Services to tabulate and report.

7. Approval of Board of Public Works Minutes of May 14, 2003 and Preliminary Hearing Minutes of May 14, 2003 for Improvement Resolution #1553-03, 4700 block Stellhorn Road Sanitary Sewer.

Denise Porter-Ross moved approval of Board of Public Works Minutes of May 14, 2003 and Preliminary Hearing Minutes of May 14, 2003 for Improvement Resolution #1553-03, 4700 block Stellhorn Road Sanitary Sewer. Motion carried. Minutes approved.

8. Approval of recommendation received from Engineering Support Services to declare the bid received from Henry Electric non-responsive for Improvement Resolution #1539-02, Electrical Modifications for Portable Emergency Generator at Water Booster Stations and to award the contract to Votaw Electric for the base and alternate 1 & 2 for a total of $98,251.00. Contract Compliance recommends approval.

Ron Sheppard, Engineering Support Services, stated that a number of errors were found in reviewing Henry Electrics Bid and that these bids were reviewed by the legal staff and also Greg Meszaros.

John Suarez moved approval of recommendation received from Engineering Support Services to declare the bid received from Henry Electric non-responsive for Improvement Resolution #1539-02, Electrical Modifications for Portable Emergency Generator at Water Booster Stations and to award the contract to Votaw Electric for the base and alternate 1 & 2 for a total of $98,251.00. Motion carried. Bid received from Henry non-responsive. Notice of award to be sent to Votaw Electric. Engineering Support Services to prepare contracts.

9. **AWARD:** Improvement Resolution #1566-03, Effie Drive to Crosby Excavating in the amount of $98,831.50. Contract Compliance concurs with this award:

Denise Porter-Ross moved approval of Award for Improvement Resolution #1566-03, Effie Drive to Crosby Excavating in the amount of $98,831.50. Motion carried. Notice of award to be sent. Engineering Support Services to prepare contracts.

10. **AWARD:** Improvement Resolution #6932-03, Gilbert Drive to Hipskind Concrete in the amount of $90,435.00. Contract Compliance concurs with this award.

John Suarez moved approval of Award for Improvement Resolution #6932-03, Gilbert Drive to Hipskind Concrete in the amount of $90.435.00. Motion carried. Notice of award to be sent. Transportation Engineering Services to prepare contracts.

11. **AWARD:** Improvement Resolution #6937-03, Arlington Park Phase II to Newell Construction in the amount of $94,524.00. Contract Compliance concurs with this award.

Denise Porter-Ross moved approval of award for Improvement Resolution #6937-03, Arlington Park Phase II to Newell Construction in the amount of $94,524.00. Motion carried. Notice of award to be sent. Transportation Engineering Services to prepare contracts.

12. Approval of City of Fort Wayne Uniform Conflict of Interest Disclosure Statement in connection with T-shirt purchase with JAG Promotions.

Greg Meszaros apprised the Board of the following: this bid went through Purchasing and quotes were received from three companies. Jeff Goblirsch, a Water Maintenance employee, is associated with JAG Promotions, and the conflict of interest disclosure complies with requirements of the State of Indiana's Conflict of Interest Law.

Denise Porter-Ross moved approval of City of Fort Wayne Uniform Conflict of Interest Disclosure Statement in connection with T-shirt purchase with JAG Promotions. Motion carried. Copy to be placed on file in vault.

13. Approval of Survey of Wetland Stakes at the corner of Liberty Mills and Homestead Roads by Karst Surveying Services, Inc. for a fee of $470.00.

Daniel Brenner, Property Manager, said that Karst Surveying Services, Inc. located the Wetland Stakes provided by Earth Source Inc., at the proposed Aboite Fire Station site located at the corner of Liberty Mills and Homestead Roads.

John Suarez moved approval of Survey of Wetland Stakes at the corner of Liberty Mills and Homestead Roads by Karst Surveying Services, Inc. for a fee of $470.00. Motion carried. Copy to be placed on file in vault.

14. Approval of ratification of Wetland Assessment completed by Earth Source Inc. at the Corner of Liberty Mills and Homestead Roads.

Daniel Brenner, Property Manager, said that the cost of this assessment was $2,220.00.

Denise Porter-Ross moved approval of ratification of Wetland Assessment completed by Earth Source Inc. at the Corner of Liberty Mills and Homestead Roads. Motion carried. Copy to be placed on file in vault.

15. Approval of Lease Agreement and Resolution between the City of Fort Wayne and The Town of Leo-Cedarville for unimproved real estate adjacent to Leo-Cedarville property, and to adopt the Resolution for the Town of Leo-Cedarville to construct a park on this property.

Daniel Brenner introduced some members of the exploratory committee. Mr. Brenner apprised the Board of the following: The town of Leo-Cedarville desires to construct a park on its property and upon the property owned by Fort Wayne up to the St. Joseph River for the use and enjoyment of the general public to be known as Riverside Gardens Park. The Town of Leo Cedarville and Fort Wayne Board of Public Works have agreed that the Town will lease the real estate for a term of 99 years in exchange for the sum of $1.00 and other promises and covenants concerning the use of the land.

Denise Porter-Ross moved approval of Lease Agreement and Resolution between the City of Fort Wayne and The Town of Leo-Cedarville for unimproved real estate adjacent to Leo-Cedarville property, and to adopt the Resolution for the Town of Leo-Cedarville to construct a park on this property. Motion carried. Copy to be placed on file in vault.

16. **IMPROVEMENT RESOLUTION #6953-03,** Pettit-Rudisill Neighborhood 2003.

Mario Trevino, Transportation Engineering Services, said that this Resolution is for South Park Avenue from Sherwood Terrace to Congress Avenue by reconstructing curbs, adjacent yardwalks, drives, spot repair to sidewalks and restoration; Spatz Avenue from Sherwood Terrace to Congress Avenue by reconstructing sidewalks, adjacent yardwalks, and restoration.

John Suarez moved approval of Improvement Resolution #6953-03. Motion carried. Copy to be herein incorporated. Bids to be received on 6/4/03.

17. Approval of Change Order #1 and FINAL received from Pioneer Associates, Inc. for Improvement Resolution #6898-02, The Landing (Columbia Street) increasing the contract price by $43,322.48. The original contract price was $256,066.00. The new contract price including this change order is $299,388.48.

David Ross, City Engineer, said that some items were needed due to unforeseen conditions. Additional scope of work was requested by the Division of Economic & Community Development.

John Suarez moved approval of Change Order #1 and FINAL received from Pioneer Associates, Inc. for Improvement Resolution #6898-02, The Landing (Columbia Street) increasing the contract price by $43,322.48. Motion carried. Contract price to be increased.

18. Approval of Change Order #1 and FINAL received from Wayne Asphalt & Construction for Improvement Resolution #6845-02, Sherborne Blvd.: Hastings Drive to Vance Avenue decreasing the contract price by $7,768.13. The original contract price was $304,011.50. The new contract price including this change order is $296,253.37.

Mario Trevino, Transportation Engineering Services, stated that several items were added due to unstable sub-base in the roadway.

Denise Porter-Ross moved approval of Change Order #1 and FINAL received from Wayne Asphalt & Construction for Improvement Resolution #6845-02, Sherborne Blvd.: Hastings Drive to Vance Avenue decreasing the contract price by $7,768.13. Motion carried. Contract price to be decreased.

19. Approval of Construction Contract #282-03 between Lights & Signals, Inc. and the City of Fort Wayne for Wallen Hills Street Light Improvement in the amount of $6,341.00.

John Suarez moved approval of Construction Contract #282-03 between Lights & Signals, Inc. and the City of Fort Wayne for Wallen Hills Street Light Improvement in the amount of $6,341.00. Motion carried. Notice to proceed to be sent.

20. Approval of Construction Contract #285-03 between Lights & Signals, Inc. and the City of Fort Wayne for Misc. Street Light Package 2003 Street Light Improvement in the amount of $11,879.50.

Denise Porter-Ross moved approval of Construction Contract #285-03 between Lights & Signals, Inc. and the City of Fort Wayne for Misc. Street Light Package 2003 Street Light Improvement in the amount of $11,879.50. Motion carried. Notice to proceed to be sent.

21. Approval of Construction Contract #6906-03 between Wayne Asphalt & Construction and the City of Fort Wayne for Philley Avenue/Weisser Park in the amount of $127,752.00.

John Suarez moved approval of Construction Contract #6906-03 between Wayne Asphalt & Construction and the City of Fort Wayne for Philley Avenue/Weisser Park in the amount of $127,752.00. Motion carried. Contract to be sent to City Council.

22. Approval of Construction Contract #6911-03 between All Star Construction and the City of Fort Wayne for Inwood Drive in the amount of $580,794.94.

John Suarez moved approval of Construction Contract #6911-03 between All Star Construction and the City of Fort Wayne for Inwood Drive in the amount of $580,794.94. Motion carried. Contract to be sent to City Council.

23. Approval of Construction Contract #6921-03 between Primco, Inc. and the City of Fort Wayne for Downing Avenue in the amount of $69,714.83.

Denise Porter-Ross moved approval of Construction Contract #6921-03 between Primco, Inc. and the City of Fort Wayne for Downing Avenue in the amount of $69,714.83. Motion carried. Notice to proceed to be sent.

24. Approval of Construction Contract #6929-03 between Wayne Asphalt & Construction and the City of Fort Wayne for Reserve Line Road in the amount of $60,178.25.

John Suarez moved approval of Construction Contract #6929-03 between Wayne Asphalt & Construction and the City of Fort Wayne for Reserve Line Road in the amount of $60,178.25. Motion carried. Notice to proceed to be sent.

25. Approval of Construction Contract #6933-03 between Newell Construction Co., Inc. and the City of Fort Wayne for Oakhurst Addition in the amount of $126,677.93.

Denise Porter-Ross moved approval of Construction Contract #6933-03 between Newell Construction Co., Inc. and the City of Fort Wayne for Oakhurst Addition in the amount of $126,677.93. Motion carried. Contract to be sent to City Council.

26. Approval of Construction Contract #6936-03 between Primco, Inc. and the City of Fort Wayne for Pontiac Street & Wayne Trace Intersections in the amount of $1,258,961.22.

John Suarez moved approval of Construction Contract #6936-03 between Primco, Inc. and the City of Fort Wayne for Pontiac Street & Wayne Trace Intersections in the amount of $1,258,961.22. Motion carried. Contract to be sent to City Council.

27. Approval of Construction Contract #6942-03 between Key Concrete and the City of Fort Wayne for Mount Vernon Park in the amount of $59,905.00.

Denise Porter-Ross moved approval of Construction Contract #6942-03 between Key Concrete and the City of Fort Wayne for Mount Vernon Park in the amount of $59,905.00. Motion carried. Notice to proceed to be sent.

28. Approval of recommendation received from Transportation Engineering Services to accept the work performed by API Construction for Improvement Resolution #6819-01, Stellhorn/Lahmeyer Intersection as an integral part of the City's transportation system.

John Suarez moved approval of recommendation received from Transportation Engineering Services to accept the work performed by API Construction for Improvement

Resolution #6819-01, Stellhorn/Lahmeyer Intersection as an integral part of the City's transportation system. Motion carried. Acceptance letter to be sent.

29. Approval Authorization for Release of Escrow received from API Construction in the amount of $58,273.08 in connection with Improvement Resolution #6819-01, Stellhorn/Lahmeyer Intersection. The Escrow Agent is Farmers & Merchants Bank.

John Suarez moved approval Authorization for Release of Escrow received from API Construction in the amount of $58,273.08 in connection with Improvement Resolution #6819-01, Stellhorn/Lahmeyer Intersection. Motion carried. Release of Escrow to be sent to the Escrow Agent.

30. Approval of Supplemental Agreement #4 between the City of Fort Wayne and Bonar Group to provide professional services for the additional scope of work of improvements to Ardmore Avenue Extended. Proposed improvements include addition of new water main extension and excavation for detention basin as part of wetland mitigation. Compensation for services performed shall be $6,000.00. City Engineering recommends approval.

Denise Porter-Ross moved approval of Supplemental Agreement #4 between the City of Fort Wayne and Bonar Group to provide professional services for the additional scope of work of improvements to Ardmore Avenue Extended. Motion carried. Copy to be herein incorporated.

31. **IMPROVEMENT RESOLUTION #1572-2003,** Three Rivers Filtration Plant, Fencing Project.

Mark Gensic, Planning & Design said that this Resolution orders the installation of new fencing along the east edge of the Three Rivers Filtration Plant site, along the west edge of the finished water reservoir, and along the southwest corner of the main building including three gates.

John Suarez moved approval of IMPROVEMENT RESOLUTION #1572-2003, Three Rivers Filtration Plant Fencing Project. Motion carried. Copy to be herein incorporated.

32. Approval of Amendment No. 1 to the TRFP Telemetry Improvements Phase 2 Project Engineering Services Agreement #1526-2002 between Donohue & Associates, Inc. and the City of Fort Wayne. Said amendment will increase the original agreement by $20,000, and bring the total to $99,624.00.

Mark Gensic, Planning & Design, apprised the Board that the scope of work is as follows:

Specify, furnish and install the replacement radios together with appurtenances such as enclosures, power supplies, battery backups, lighting suppressors, serial communication cables and converters as required, and miscellaneous fittings and hardware.

Verify proper operation of the system with the replacement radios and appurtenances to establish a benchmark for the subsequent interim operation testing.

Denise Porter-Ross moved approval of Amendment No. 1 to the TRFP Telemetry Improvements Phase 2 Project Engineering Services Agreement #1526-2002 between Donohue & Associates, Inc. and the City of Fort Wayne. Motion carried. Copy to be placed on file in vault. Notice to proceed to be sent.

33. Approval of Amendment No. 1 to Professional Services Agreement dated October 16, 2002 between HNTB and the City of Fort Wayne for Three Rivers Filtration Plant High Service Pumps 2 & 9 for a lump sum amount of $3,500.00. Planning & Design Services recommend approval.

Doug Fasick, Planning & Design, said that HNTB is providing three days of structural engineering observation of work performed by the Contractor on the Three Rivers Filtration Plant finished water reservoir, generate a field report for each day of observation, and submit said reports.

John Suarez moved approval of Amendment No. 1 to Professional Services Agreement dated October 16, 2002 between HNTB and the City of Fort Wayne for Three Rivers Filtration Plant High Service Pumps 2 & 9 for a lump sum amount of $3,500.00. Motion carried. Copy to be placed on file in vault. Notice to proceed to be sent.

34. Approval of Agreement between the City of Fort Wayne and Northern Indiana Public Service Company for the relocation of gas lines on the Rothman Road Relief Sewer project. The cost of the work is a lump sum of $27,708.00. Planning & Design Services recommend approval of this contract.

Denise Porter-Ross moved approval of Agreement between the City of Fort Wayne and Northern Indiana Public Service Company for the relocation of gas lines on the Rothman Road Relief Sewer project. Motion carried. Copy to be placed on file in vault. Notice to proceed to be sent.

35. Approval of Professional Services Agreement between the City of Fort Wayne and American Consulting, Inc., for the design of the Curdes Avenue Area Sewer Separation. The cost of the work is a lump sum of $10,963.30. Planning & Design Services recommend approval.

Mark Gensic, Planning & Design, stated that this project is part of the Combined Sewer Capacity Improvement Program and it will separate storm water and sanitary sewage and will reduce basement backups and sewer overflows in this sewer subbasins.

Denise Porter-Ross moved approval of Professional Services Agreement between the City of Fort Wayne and American Consulting, Inc., for the design of the Curdes Avenue Area Sewer Separation. Motion carried. Copy to be placed on file in vault. Notice to proceed to sent.

36. Approval of Professional Services Agreement between the City of Fort Wayne and Donohue & Associates for St. Joe Dam Pump Station/Raw Water Supply Facilities Plan (Ph. 2 – Water Master Plan). The cost for these services shall not exceed $79,950.00. Planning & Design Services recommend approval.

Mark Gensic, Planning & Design Services, said that this agreement will study and make recommendations to the City on several issues related to the St. Joe Dam Pump Station, including improving power supply reliability to the low service pumps, rehabilitation/replacement of pumps/piping, remote emergency shutdown/control of the pump station, condition assessment of the dam structure, and also an additional source of raw water for the Filtration Plant.

John Suarez moved approval of Professional Services Agreement between the City of Fort Wayne and Donohue & Associates for St. Joe Dam Pump Station/Raw Water Supply Facilities Plan (Ph. 2 – Water Master Plan). Motion carried. Copy to be placed on file in vault. Notice to proceed to be sent.

37. Discussion regarding Dafforn Request for release of bid bond in connection with Mount Vernon Park Water Project.

Ron Sheppard, Engineering Support Services, apprised the Board of the following: Dafforn Excavating was the low bidder on the 11/13/02 bid of the Mount Vernon Park Water Project for which they submitted a check in the amount of $21,000.00 in lieu of a bid bond.

Dafforn Excavating also were awarded the Glenhurst, Rolston and Merivale Water Project which was a smaller project. They were able to provide a payment and performance bond for this project. They started construction of this project.

In April, Mr. Dafforn approached Engineering Support Services about the inability to procure a payment and performance bond for the Mount Vernon project. On May 6, 3003, Mr. Dafforn sent a letter informing the BOW of the situation and asking for his certified check of $21,000.00 be returned.

As it now stands, Mount Vernon Park Project will have to be re-bid this fall or early winter since the time period for awarding to the next lowest bidder has past. This period is 90 days from bid opening.

Mr. Sheppard stated that he feels that the cost for the re-bidding should come from the certified check. Mr. Sheppard also stated that the cost to the Utility customers would be somewhat defrayed, although this means that the Utility will still have a higher possibility for main breaks in this area for an extended time period.

Mr. Dafforn addressed the Board requesting that they release the Bid Bond.

Denise Porter-Ross moved to table this request until May 28, 2003. Motion carried. Request tabled.

38. Approval of Change Order #1 & FINAL received from Dafforn Excavating for Improvement Resolution #1109-02, Plaza/S. Colonial Water Main Replacement decreasing the contract price by $3,045.05. The original contract price was $127,305.25. The new contract price including this change order is $124,260.20.

Ron Sheppard, Engineering Support Services, explained that this change order is to adjust final quantities.

John Suarez moved approval of Change Order #1 & FINAL received from Dafforn Excavating for Improvement Resolution #1109-02, Plaza/S. Colonial Water Main Replacement decreasing the contract price by $3,045.05. Motion carried. Contract price to be decreased.

39. Approval of Construction Contract #1553-03 between Odle Inc. and City of Fort Wayne for Exterior Cleaning & Painting of 4MG Northwest Concrete Ground Water Storage Tank & Pump Station in the amount of $37,035.00.

Denise Porter-Ross moved approval of Construction Contract #1553-03 between Odle Inc. and City of Fort Wayne for Exterior Cleaning & Painting of 4MG Northwest Concrete Ground Water Storage Tank & Pump Station in the amount of $37,035.00. Motion carried. Notice to proceed to be sent.

40. Approval of recommendation received from Engineering Support Services to accept the work performed by Kurtz Excavating on Sanitary Sewer Contract #2002-S-38, Mill Ridge-St. Joe Center Road-Sanitary as an integral part of the City's sanitary sewer system.

John Suarez moved approval of recommendation received from Engineering Support Services to accept the work performed by Kurtz Excavating on Sanitary Sewer Contract #2002-S-38, Mill Ridge-St. Joe Center Road-Sanitary as an integral part of the City's sanitary sewer system. Motion carried. Acceptance letter to be sent.

41. Approval of request received from Jeanette Stark of 4026 Reed Road to sign up for the Barrett Law process in connection with Pine Lane Sanitary, Res. 619-00.

Denise Porter-Ross moved approval of request received from Jeanette Stark of 4026 Reed Road to sign up for the Barrett Law process in connection with Pine Lane Sanitary, Res. 619-00. Motion carried. Request approved.

42. Approval of General Accounting Claims in the amount of $15,014,778.31.

John Suarez moved approval of General Accounting Claims in the amount of $15,014,778.31. Motion carried. Claims to be sent to the Department of Finance.

43. Approval of Barrett Law Claims in the amount of $19,712.43.

Denise Porter-Ross moved approval of Barrett Law Claims in the amount of $19,712.43. Motion carried. Barrett Law Claims to be sent to the Department of Finance.

44. Old Business:

None.

45. New Business:

(I) Approval of Right-of-Way Supplemental Agreement No. 1 between the City of Fort Wayne and Bonar Group to provide professional services for the land acquisition of improvements to Ardmore Avenue Extension. Proposed services include: adding advance acquisition of 8-acre wetland mitigation into roadway right-of-way services. Compensation for services performed shall be $7,300.00. City Engineering recommends approval.

John Suarez moved approval of Right-of-Way Supplemental Agreement No. 1 between the City of Fort Wayne and Bonar Group to provide professional services for the land acquisition of improvements to Ardmore Avenue Extension. Motion carried. Copy to be placed on file in vault. Notice to proceed to be sent.

(II) **AWARD:** Improvement Resolution 6927-03, Beechwood Drive to Benchmark Construction in the amount of $113,600.00. Contract Compliance concurs with this award.

Denise Porter-Ross moved approval of AWARD for Improvement Resolution 6927-03, Beechwood Drive to Benchmark Construction in the amount of $113,600.00. Contract Compliance concurs with this award. Motion carried. Notice of award to be sent. Transportation Engineering Services to prepare contracts.

Meeting adjourned at 10:15 a.m.

Robert P. Kennedy, Chairman

John Suarez, Member

Denise Porter-Ross, Member

ATTEST:

Carolyn S. Newport, Clerk

MAY 21, 2003

BOARD OF STORMWATER MANAGEMENT
ROOM 250—OMNI ROOM
MEETING HELD AT 10:15 A.M.

GREG MESZAROS, CHAIRMAN
JOHN SUAREZ, MEMBER
DENISE PORTER-ROSS, MEMBER

CAROLYN S. NEWPORT, CLERK

PRESENT: All Members & Clerk; Robert P. Kennedy, Jim Howard, Purchasing Director; Kristine Degabriele, Associate City Attorney; Charles Bailey & Carl Wilson, Contract Compliance; Dan Brenner, Property Manager; David Ross, City Engineer; Mario Trevino, Transportation Engineering Services; John Perlich, PIO; Mark Gensic, Tom Gountras, Judy Cleland & Doug Fasick, Planning & Design; Ron Sheppard & Keith Hood, Development Services; Jason Dafforn, Dafforn Excavating.

1. Approval of Board of Stormwater Management Minutes of May 14, 2003.

   Denise Porter-Ross moved approval of Board of Stormwater Management Minutes of May 14, 2003. Motion carried. Minutes approved.

2. Approval to re-bid Resolution #1558-03, ITT Schick Street Storm Sewer due to bids exceeding $150,000.00.

   Denise Porter-Ross moved approval to re-bid Resolution #1558-03, ITT Schick Street Storm Sewer due to bids exceeding $150,000.00. Motion carried. Project to be re-bid.

3. Old Business.

   None.

4. New Business.

   None.

Meeting adjourned at 10:20 a.m.

Greg Meszaros, Chairman

John Suarez, Member

Denise Porter-Ross, Member

ATTEST: Carolyn S. Newport

Carolyn S. Newport, Clerk

May 21, 2003

Board of Public Works
Hearing held at 10:15 a.m.
Omni Room – Room 250

Robert P. Kennedy, Chairman
Denise Porter-Ross, Member
John Suarez, Member

Carolyn S. Newport, Clerk

PRESENT: All Members & Clerk; Richard Knappenberger, Transportation Engineering Services, Marj Enders, Barrett Law Accountant. No property owners were in attendance.

1. Preliminary Hearing to confirm Improvement Resolution #6924-03, Fulton Street: Washington Blvd. to Wayne Street. Richard Knappenberger is the Project Engineer.
   John Suarez moved to confirm Improvement Resolution #6924-03. Motion carried. REMONSTRANCE DATE IS JUNE 2, 2003 AT 5:OO P.M.

Meeting adjourned at 10:30 a.m.

Robert P. Kennedy, Chairman

John Suarez, Member

Denise Porter-Ross, Member

ATTEST:
Carolyn S. Newport, Clerk

May 21, 2003

Board of Public Works
Hearing held at 10:00 a.m.
Omni Room – Room 250

Robert P. Kennedy, Chairman
Denise Porter-Ross, Member
John Suarez, Member

Carolyn S. Newport, Clerk

PRESENT: All Members & Clerk, Mary Jane Slaton, Development Services; No property owners were in attendance.

1. Preliminary Hearing to confirm, rescind, or modify Improvement Resolution #80-136-19, a Resolution of the Board of Public Works of the City of Fort Wayne, Indiana approving the Neuhaus Phase II Interceptor Sewer Project and Appropriating and condemning Real Property for Use by the City of Fort Wayne, Indiana and Assessing benefits to Property Owners for the Construction of the Neuhaus Phase II Interceptor Sewer Project. Mary Jane Slaton is the project manager.
   Denise Porter-Ross moved to confirm Improvement Resolution #80-136-19, a Resolution of the Board of Public Works of the City of Fort Wayne, Indiana approving the Neuhaus Phase II Interceptor Sewer Project and Appropriating and condemning Real Property for Use by the City of Fort Wayne, Indiana and Assessing benefits to Property Owners for the Construction of the Neuhaus Phase II Interceptor Sewer Project. Motion carried. Resolution confirmed.

Meeting adjourned at 10:25 a.m.

Robert Kennedy
Robert P. Kennedy, Chairman

John Suarez
John Suarez, Member

Denise Porter-Ross
Denise Porter-Ross, Member

ATTEST: Carolyn S. Newport
Carolyn S. Newport, Clerk

BOARD OF PUBLIC WORKS
ROOM 250—OMNI ROOM
MEETING HELD AT 9:00 A.M.

ROBERT P. KENNEDY, CHAIRMAN
JOHN SUAREZ, MEMBER
DENISE PORTER-ROSS, MEMBER

CAROLYN S. NEWPORT, CLERK

PRESENT: All Members & Clerk; Greg Meszaros, Director of Public Works/Utilities; Kristine Degabriele, Law Department; David Ross, City Engineer; Mario Trevino & Mike Fruchey, Transportation Engineering; Charles Bailey & Carl Wilson; Contract Compliance; John Perlich, PIO; Mary Jane Slaton & Jack Suter, Development Services; Ron Sheppard, Engineering Support Services; Mark Gensic , Mike Hicks, and Ted Nitza, Planning & Design; Dan Brenner, Property Manager; Rick Orr, Right-of-Way; Jason Dafforn, Dafforn Excavating.

1. RECEIVE BIDS: Resolution#87-43-15 (7): Sewer Inspection & Cleaning.

BIDDERS	BASE BID
Fluid Waste Services	$333,462.76
Reynolds Inliner, L.L.C.	**$217,514.40**
Engineers Estimate	**$249,017.40**

Engineering Support Services to tabulate and report.

2. RECEIVE BIDS: Resolution#679-02: Northeast Area Cured-In-Place Sewer Rehabilitation.

BIDDERS	BASE BID
American Water Services	$418,845.40
Environmental Pipeliners Co., Inc.	$413,005.80
Insituform Technologies, Inc.	$401,367.00
Reynold's Inliner, L.L.C.	**$376,429.75**
Engineers Estimate	**$442,000.00**

Engineering Support Services to tabulate and report.

3. RECEIVE BIDS: 1579-03: St. Joseph Dam Repairs- Phase I.

BIDDERS	BASE BID	ALTERNATE
Primco, Inc.	**$212,801.19**	
Engineers Estimate	**$134,940.00**	

Engineering Support Services to tabulate and report.

4. RECEIVE BIDS: Resolution#6939-03: Miscellaneous Construction Package 2-B-03.

BIDDERS	BASE BID
Garcia Concrete Construction	$80,385.00
Hipskind Concrete	$81,868.20
Key Concrete, Inc.	$85,631.00
Newell Construction	**$65,184.50**
Engineers Estimate	**$99,395.50**

Transportation Engineering Services to tabulate and report.

5. RECEIVE BIDS: Resolution#6941-03: Alley Reconstruction Nussbaum.

BIDDERS	BASE BID
Brooks Construction Co., Inc.	**$70,603.50**
Garcia Concrete Construction	$71,197.00
Hipskind Concrete	$80,462.40
Key Concrete, Inc.	$71,441.00
Engineers Estimate	**$73,386.00**

Transportation Engineering Services to tabulate and report.

6. RECEIVE BIDS: Resolution#6954-03: Miscellaneous Construction Package 1-A-03.

BIDDERS	BASE BID
Garcia Concrete Construction	$34,965.00
Hipskind Concrete	$37,817.50
Key Concrete, Inc.	**$28,720.00**
Engineers Estimate	**$27,381.76**

Transportation Engineering Services to tabulate and report.

7. Approval of Board of Public Works Minutes of May 21, 2003 and Hearing Minutes of May 21, 2003 for Res. #80-136-19, Neuhaus Ph. II Interceptor Sewer and Improvement Resolution #6924-02, Fulton Street: Washington Blvd. to Wayne Street.

Denise Porter-Ross moved approval of Board of Public Works Minutes of May 21, 2003 and Hearing Minutes of May 21, 2003 for Res. #80-136-19, Neuhaus Ph. II Interceptor Sewer and Improvement Resolution #6924-02, Fulton Street: Washington Blvd. to Wayne Street. Motion carried. Minutes approved.

8. **AWARD:** Improvement Resolution #6935-03, Lakeshores Park Community to Key Concrete in the amount of $30,195.00. Contract Compliance concurs with this award.

John Suarez moved approval of AWARD for Improvement Resolution #6935-03, Lakeshores Park Community to Key Concrete in the amount of $30,195.00. Motion carried. Notice of award to be sent. Transportation Engineering Services to prepare contracts.

9. **AWARD:** Improvement Resolution #6945-03, Tower Heights to Key Concrete in the amount of $51,515.00. Contract Compliance concurs with this award.

Denise Porter-Ross moved approval of AWARD for Improvement Resolution #6945-03, Tower Heights to Key Concrete in the amount of $51,515.00. Motion carried. Notice of award to be sent. Transportation Engineering Services to prepare contracts.

10. **AWARD:** Improvement Resolution #6948-03, Wenonah Lane: 3500 Block to Key Concrete, Inc. in the amount of $33,712.00. Contract Compliance concurs with this award.

John Suarez moved approval AWARD for Improvement Resolution #6948-03, Wenonah Lane: 3500 Block to Key Concrete, Inc. in the amount of $33,712.00. Motion carried. Notice of award to be sent. Transportation Engineering to prepare contracts.

11. **IMPROVEMENT RESOLUTION #6956-03,** Irene Avenue: Poinsette Avenue to Ethel Avenue;

Mario Trevino, Transportation Engineering Services, stated that this Resolution is for reconstruction of new concrete walks, curbs, drive approaches, new asphalt pavement, rehabilitation and installation of new storm sewers, and mulched seeding restoration.

Denise Porter-Ross moved approval of IMPROVEMENT RESOLUTION #6956-03, Irene Avenue: Poinsette Avenue to Ethel Avenue. Motion carried. Copy to be herein incorporated. Hearing to be held on June 11, 2003.

12. **IMPROVEMENT RESOLUTION #6957-03,** Abbott Street: Paulding Rd. to S. Terminus.

Mario Trevino, Transportation Engineering Services stated that this Resolution is for reconstruction of roadway which includes: new bituminous pavement, underdrains, curb construction, driveway approaches, rehabilitation of side ditches, rehabilitation of storm sewer structures/system, topsoil, and mulched seeding restoration.

John Suarez moved approval of IMPROVEMENT RESOLUTION #6957-03, Abbott Street: Paulding Rd. to S. Terminus. Motion carried. Copy to be herein incorporated. Bids to be received on 6/18/03.

13. Special Street Permit granting Chestnut Group, Inc. to construct the following streets in Kensington Downs, Section IV in the City of Fort Wayne, Indiana: (1) Greythorn Drive (2) Sterling Way (3) Grand Forest Court.

Mike Fruchey, Transportation Engineering Services, said that this development is in the First Council District and contains 38 residential lots.

Denise Porter-Ross moved approval of Special Street Permit granting Chestnut Group, Inc. to construct the following streets in Kensington Downs, Section IV in the City of Fort Wayne, Indiana: (1) Greythorn Drive (2) Sterling Way (3) Grand Forest Court. Motion carried. Streets to be constructed.

14. Dafforn Request for release of bid bond in connection with Res. #1111-02, Mount Vernon Park Addition Water Main Replacement TABLED FROM LAST WEEK.

Denise Porter-Ross moved to remove this agenda item from the table. Motion carried.

John Suarez stated that he does not want to start a precedent by cashing in on bid bonds and that $21,000.00 is a severe penalty. Mr. Suarez suggested fining Dafforn $7,000.00.

Greg Meszaros, Director of Public Works/Utilities, said that there would be a charge to rebid the project and also that the City would lose a year and water main breaks could occur.

Denise Porter-Ross inquired how this would be handled if this happened in the future, and BOW Attorney Kristine Degabriele replied by saying that it would be handled case by case.

Robert Kennedy suggested that it would be fair to split the $21,000.00.

John Suarez moved to release one half of the $21,000.00 to Dafforn Excavating for Resolution #1111-02. Motion carried. $10,500.00 to be released.

15. Approval of Change Order #1 & FINAL received from Garcia Concrete for Improvement Resolution #6920-03, Kern Valley Meadows increasing the contract price by $528.10. The original contract price was $22,090.00. The new contract price including this change order is $22,618.10.

Mario Trevino, Transportation Engineering Services, said that this Change Order to adjust final quantities.

Denise Porter-Ross moved approval of Change Order #1 & FINAL received from Garcia Concrete for Improvement Resolution #6920-03, Kern Valley Meadows increasing the contract price by $528.10. Motion carried. Contract price to be increased.

16. Approval of Change Order #1 received from Wayne Asphalt for Improvement Resolution #6907-03, Paulding Road: Lafayette Street to Anthony increasing the contract price by $1,033.00. The original contract price was $887,161.78. The new contract price including this change order is $888,194.78.

Mario Trevino, Transportation Engineering Services, stated that this Change Order due to conflict between proposed sewer structures and gas main and relocation of storm drainage structures.

Denise Porter-Ross moved approval of Change Order #1 received from Wayne Asphalt for Improvement Resolution #6907-03, Paulding Road: Lafayette Street to Anthony increasing the contract price by $1,033.00. Motion carried. Contract price to be increased.

17. Approval of Construction Contract #6940-03 between Key Concrete and the City of Fort Wayne for Colonial Heritage Addition in the amount of $81,758.00.

John Suarez moved approval of Construction Contract #6940-03 between Key Concrete and the City of Fort Wayne for Colonial Heritage Addition in the amount of $81,758.00. Motion carried. Notice to proceed to be sent.

18. Approval of Construction Contract #6943-03 between Key Concrete and the City of Fort Wayne for Avalon Addition in the amount of $68,598.00.

Denise Porter-Ross moved approval of Construction Contract #6943-03 between Key Concrete and the City of Fort Wayne for Avalon Addition in the amount of $68,598.00. Motion carried. Notice to proceed to be sent.

19. Approval of Agreement between the City of Fort Wayne and Sanford Simon for acquisition of private roadway to be dedicated for public use at Constitution Drive and Getz Road.

Daniel Brenner, Property Manager, stated that after the agreement is executed the City will be responsible for the maintenance of the road.

John Suarez moved approval of Agreement between the City of Fort Wayne and Sanford Simon for acquisition of private roadway to be dedicated for public use at Constitution Drive and Getz Road. Motion carried. Copy to be placed on file in vault.

20. **RESOLUTION** for the Purchase Agreement between the City of Fort Wayne and Mark E. and Susyn J. GiaQuinta for Fire Department/Parks Department Land Acquisition at the SE Corner of Liberty Mills and Homestead Roads.

Daniel Brenner, stated that the Parks Department desires to do future construction of a park on the property and the Fire Department desires future construction of a fire station upon the property. Mr. Brenner said that the GiaQuintas have agreed to sell this 7-acre tract to the City for $575,000.00, which is less than the average of the 2 independent appraisals.

Denise Porter-Ross moved approval of RESOLUTION for the Purchase Agreement between the City of Fort Wayne and Mark E. and Susyn J. GiaQuinta for Fire Department/Parks Department Land Acquisition at the SE Corner of Liberty Mills and Homestead Roads. Motion carried. Copy to be herein incorporated.

21. Interlocal Agreement between the City of Fort Wayne and Indiana University-Purdue University Fort Wayne whereas the City agrees to assist IPFW with Funding for the elevated walkway in the amount of $149,000.00 from its CEDIT funds.

Rick Orr, Right-of-Way/Finance Manager, stated that $99,000.00 would be from BOW Funds, $40,000.00 from At-Large Council Funds, and $10,000.00 from District 3 Council Funds.

Denise Porter-Ross moved approval of Interlocal Agreement between the City of Fort Wayne and Indiana University-Purdue University Fort Wayne whereas the City agrees to assist IPFW with Funding for the elevated walkway in the amount of $149,000.00 from its CEDIT funds. Motion carried. Copy to be placed on file in vault.

22. **RESOLUTION** for Acquisition of Property from Fort Wayne Community Schools, which includes a 0.248-acre parcel and access easement for the installation of a water pressure boosting station.

Mary Jane Slaton, Development Services, said that this parcel is located near I-69 and Auburn Road behind Holland Elementary School. Ms. Slaton said that this is for the purchase of real estate and acquisition of easements for the Northwest Booster Station project.

John Suarez moved approval of RESOLUTION for Acquisition of Property from Fort Wayne Community Schools, which includes a 0.248-acre parcel and access easement for the installation of a water pressure boosting station. Motion carried. Copy to be herein incorporated.

23. **RESOLUTION** of the Board of Public Works for Beckett's Run Interceptor Area Connection Fees.

Gregg Meszaros stated that effective this date and until such time as the fee is modified, all new sewer connections made to the Beckett's Run Interceptor Sewer System shall be assessed a $1,100 area connection fee for each ERU as defined by a Board Resolution adopted September 5, 2001 and as subsequently amended on April 9, 2003.

Denise Porter-Ross moved approval of RESOLUTION of the Board of Public Works for Beckett's Run Interceptor Area Connection Fees. Motion carried. Copy to be herein incorporated.

24. Approval of Sewer Contract #2003-S-12 between Mill Ridge Development Corp. and the Fort Wayne Water Pollution Control Utility to construct a local sanitary sewer system to serve Springfield Section IV. This project is inside the City and is in a green zone (PRIVATELY FUNDED).

Jack Suter said that this development is located near the intersection of Lake and St. Joe Center Road and contains 22 lots. Said sewer to include 521 l.f. of 8" PVC Pipe.

John Suarez moved approval of Sewer Contract #2003-S-12 between Mill Ridge Development Corp. and the Fort Wayne Water Pollution Control Utility to construct a local sanitary sewer system to serve Springfield Section IV. Motion carried. Sanitary sewer system to be constructed.

25. Approval of General Accounting Claims in the amount of $4,934,961.20.

Denise Porter-Ross moved approval of General Accounting Claims in the amount of $4,934,961.20. Motion carried. Claims to be sent to the Department of Finance.

26. Approval of Barrett Law Claims in the amount of $4,572.99.

John Suarez moved approval of Barrett Law Claims in the amount of $4,572.99. Motion carried. Barrett Law Claims to be sent to the Department of Finance.

30. Old Business:

None.

31. New Business:

(I) Request received from Lois Ann Donelson to sign up for the Barrett Law Process in connection with 809 W. Packard Avenue a Barrett Law project.

Denise Porter-Ross moved approval of request received from Lois Ann Donelson to sign up for the Barrett Law Process in connection with 809 W. Packard Avenue. Motion carried. Request approved.

(II) Approval of Cover Sheet for Ardmore Bridge Section.

Denise Porter-Ross moved approval of Cover Sheet for Ardmore Bridge Section. Motion carried. Cover Sheet to be sent to the Mayor's Office for execution.

(III) Approval of Amendment No. 1 to Professional Services Agreement dated April 10, 2002 between the City of Fort Wayne and Board of Public Works & HNTB Corporation in connection with Basin Engineering Services and Compensation Revisions for the Northwest Booster Station No.2.

Ted Nitza, Planning & Design, said that this Amendment consists of 3 additional items of work (a) replacing the existing PLC-based pump controls in the Northwest Pump Station No. 1 (NWPS2) with new controls and installing a new telemetry system IN NWPS2 to control Northwest Pump Station No. 2 (NWPS2), (b) incorporating the design and construction engineering services for an additional water main to cross under Interstate 69 into the NWPS2 design, and (c) dividing the original water main and pump station project, together with the additional controls and I-69 water main tasks, into 2 sets of Bid Documents for separate bidding and construction purposes by the City. The total not-to-exceed fee is $114,000.00.

John Suarez moved approval of Amendment No. 1 to Professional Services Agreement dated April 10, 2002 between the City of Fort Wayne and Board of Public Works & HNTB Corporation in connection with Basin Engineering Services and Compensation Revisions for the Northwest Booster Station No.2. Motion carried. Copy to be placed on file in vault. Notice to proceed to be sent.

Meeting adjourned at 9:50 a.m.

Robert Kennedy

Robert P. Kennedy, Clerk

John Suarez

John Suarez, Member

Denise Porter-Ross

Denise Porter-Ross, Member

ATTEST: Carolyn S. Newport

Carolyn S. Newport, Clerk

BOARD OF STORMWATER MANAGEMENT
ROOM 250—OMNI ROOM
MEETING HELD AT 9:50 A.M.

GREG MESZAROS, CHAIRMAN
JOHN SUAREZ, MEMBER
DENISE PORTER-ROSS, MEMBER

CAROLYN S. NEWPORT, CLERK

PRESENT: All Members & Clerk; Robert P. Kennedy, Chairman, BOW; Kristine Degabriele, Law Department; David Ross, City Engineer; Mario Trevino & Mike Fruchey, Transportation Engineering; Charles Bailey & Carl Wilson; Contract Compliance; John Perlich, PIO; Mary Jane Slaton & Jack Suter, Development Services; Ron Sheppard, Engineering Support Services; Mark Gensic , Mike Hicks, and Ted Nitza, Planning & Design; Dan Brenner, Property Manager; Rick Orr, Right-of-Way; Jason Dafforn, Dafforn Excavating.

1. **RESOLUTION** of the Stormwater Management Board of the City of Fort Wayne, Indiana Continuing its Decision on Resolution #90-30-3 of the Stormwater Board Appropriating and condemning Real Property.

   Jim Howard, Attorney, apprised the Board of the following:. the Remonstrance Hearing was scheduled for today but the Thomas's and Loray's requested a continuance for 40 days, which is July 9, 2003. If these matters are resolved with 40 days by good faith negotiating, the July 9, 2003 hearing will not be held and the appropriated Resolution will not be confirmed and will be revoked by the Board. The property owners will be notified of this continuance through their attorneys and by a certified mailing of this resolution.

   Denise Porter-Ross moved approval RESOLUTION of the Stormwater Management Board of the City of Fort Wayne, Indiana Continuing its Decision on Resolution #90-30-3 of the Stormwater Board Appropriating and condemning Real Property. Motion carried. Copy to be herein incorporated.

2. Approval of Board of Stormwater Management Minutes of May 21, 2003.

   John Suarez moved approval of Board of Stormwater Management Minutes of May 21, 2003. Motion carried. Minutes approved.

3. Approval of Change Order #1 & FINAL received from Land, Inc. for Improvement Resolution #671-02, Standish Drive Storm Drainage Improvement decreasing the contract amount by $5,282.00. The original contract price was $67,915.20. the new contract price including this change order is $62,633.20.

   Ron Sheppard said that this Change Order is for adjustment of final quantities.

   Denise Porter-Ross moved approval of Change Order #1 & FINAL received from Land, Inc. for Improvement Resolution #671-02, Standish Drive

Storm Drainage Improvement decreasing the contract amount by $5,282.00. Motion carried. Contract price to be decreased.

4. Old Business.

None.

5. New Business.

None.

Meeting adjourned at 9:55 a.m.

Greg Meszaros, Chairman

John Suarez, Member

Denise Porter-Ross, Member

ATTEST: Carolyn S. Newport

Carolyn S. Newport, Clerk

May 28, 2003

Board of Public Works
Hearing held at 10:00 a.m.
Omni Room – Room 250

Robert P. Kennedy, Chairman
Denise Porter-Ross, Member
John Suarez, Member

Carolyn S. Newport, Clerk

PRESENT: All Members & Clerk, Denny Root, Transportation Engineering Services; Marj Enders, Barrett Law. No property owners were in attendance.

1. Final Assessment Hearing to confirm Assessment Roll for Improvement Resolution #6845-02, Sherborne Blvd. Phase II, Hastings Rd. to Vance Ave. **Denise Porter-Ross moved to confirm Assessment Roll for Improvement Resolution #6845-02. Motion carried. Assessments to be sent.**

Meeting adjourned at 10:25 a.m.

Robert P. Kennedy, Chairman

John Suarez, Member

Denise Porter-Ross, Member

ATTEST: Carolyn S. Newport, Clerk

BOARD OF PUBLIC WORKS
ROOM 250—OMNI ROOM
MEETING HELD AT 9:00 A.M.

ROBERT P. KENNEDY, CHAIRMAN
JOHN SUAREZ, MEMBER
DENISE PORTER-ROSS, MEMBER

CAROLYN S. NEWPORT, CLERK

PRESENT: All Members & Clerk; David Ross, City Engineer; Mario Trevino, Transportation Engineering Services; George Cook & Jim Riemke, Traffic Eng./Street Light Engineering; Charles Bailey & Carl Wilson, Contract Compliance; Kristine Degabriele, Law Department; Jim Howard, City Purchasing Director; Valerie Breen, Controller's Office; Ken Nicolet, Customer Service, BOW/Utilities; Daniel Brenner, Property Manager; Rick Orr, Right-of-Way Department; Bill Simmons, Water Resources; Ron Sheppard & Bill Maxwell, Engineering Support Services; Mary Jane Slaton, Jack Suter, & Nancy Townsend, Development Services; Mark Gensic & Bill Maxwell, Planning & Design.

1. RECEIVE BIDS: Resolution#286-03: Lima Road (Coliseum to Ley) Street Light Improvement.

BIDDERS	BASE BID
Lights & Signals, Inc.	$43,925.00
Robert Henry Corp.	**$34,090.00**
Trans Tech Electric	$72,880.00
Engineers Estimate	**$59,570.00**

Street Light Engineering to tabulate and report.

2. RECEIVE BIDS: Resolution#1554-02: 4700 Block of Stellhorn Road Sanitary Sewer Petition Project.

BIDDERS	BASE BID
Bercot, Inc.	$39,682.00
Crosby Excavating	$29,277.25
Fleming Excavating	$34,468.63
Reinhart's Excavating	**$28,080.00**
Scheidleman Excavating, Inc.	$29,493.73
Engineers Estimate	**$21,197.00**

Engineering Support Services to tabulate and report.

3. RECEIVE BIDS: Resolution#1582-03: Northwest Pump Station No. 1 Interim Controls.

BIDDERS	BASE BID
Frakes Engineering	$21,192.25
Integrity Engineering	**$17,860.00**
Engineers Estimate	**$18,000.00**

Engineering Support Service to tabulate and make recommendation later in the meeting.

4. RECEIVE BIDS: Resolution#6953-03: Pettit-Rudisill Neighborhood 2003.

BIDDERS	BASE BID
Garcia Concrete Construction	$41,631.00
Hipskind Concrete	$41,609.80
Key Concrete, Inc.	$41,694.00
Primco, Inc.	**$36,427.29**
Engineers Estimate	**$42,739.75**

Transportation Engineering to tabulate and report.

5. RECEIVE BIDS: Resolution#6955-03: Hale Avenue: Brooklyn Avenue to Juliette Avenue.

BIDDERS	BASE BID
Benchmark Construction, Inc.	$58,063.00
Brooks Construction Co., Inc.	$64,502.65
E&B Paving	$63,840.90
Hipskind Concrete	**$57,902.60**
Primco, Inc.	$73,125.04
Engineers Estimate	**$57,875.00**

Transportation Engineering Services to tabulate and report.

6. **AWARD:** Improvement Resolution #679-02, North East Area Cured-In Place Sewer Rehabilitation to Reynolds Inliner in the amount of $376,429.75. Contract Compliance concurs with this award.

   John Suarez moved approval of AWARD for Improvement Resolution #679-02, North East Area Cured-In Place Sewer Rehabilitation to Reynolds Inliner in the amount of $376,429.75. Motion carried. Notice of award to be sent. Engineering Support Services to prepare contracts.

7. **AWARD:** Improvement Resolution #1537-03, Lime Storage Building Addition to the WPCP Biosolids Facility to Strebig Construction in the sum of $215,378.00. Contract Compliance concurs with this award.

Denise Porter-Ross moved approval of AWARD for Improvement Resolution #1537-03, Lime Storage Building Addition to the WPCP Biosolids Facility to Strebig Construction in the sum of $215,378.00. Motion carried. Notice of award to be sent. Engineering Services to prepare contracts.

8. **AWARD:** Improvement Resolution #1571-03, WPCP Secondary Clarifiers & Skimmer Replacement to Indiana Construction in the amount of $104,000.00 for the base bid. Contract Compliance concurs with this award.

John Suarez moved approval of AWARD for Improvement Resolution #1571-03, WPCP Secondary Clarifiers & Skimmer Replacement to Indiana Construction in the amount of $104,000.00 for the base bid. Notice of award to be sent. Engineering Services to prepare contracts.

9. Recommendation to reject the bid received for Improvement Resolution #1579-03, St. Joseph Dam Repairs-Phase I-2003 due to the project being over budget.

Denise Porter-Ross moved approval of recommendation to reject the bid received for Improvement Resolution #1579-03, St. Joseph Dam Repairs-Phase I-2003 due to the project being over budget. Motion carried. Project to be rebid.

10. **AWARD:** Improvement Resolution #6939-03, Miscellaneous Construction Package 2-B-03 to Newell Construction Co. in the amount of $65,184.50. Contract Compliance concurs with this award.

John Suarez moved approval of AWARD for Improvement Resolution #6939-03, Miscellaneous Construction Package 2-B-03 to Newell Construction Co. in the amount of $65,184.50. Motion carried. Notice of award to be sent. Transportation Engineering Services to prepare contracts.

11. **AWARD:** Improvement Resolution #6941-03, Alley Reconstruction – Nussbaum to Brooks Construction Co. Inc. in the amount of $70,603.50. Contract Compliance concurs with this award.

Denise Porter-Ross moved approval of AWARD for Improvement Resolution #6941-03, Alley Reconstruction – Nussbaum to Brooks Construction Co. Inc. in the amount of $70,603.50. Motion carried. Notice of award to be sent. Transportation Engineering Services to prepare contracts.

12. **AWARD:** Improvement Resolution #6954-03, Miscellaneous Construction Package 1-A-03 to Key Concrete, Inc. in the amount of $28,720.00. Contract Compliance concurs with this award.

John Suarez moved approval of AWARD for Improvement Resolution #6954-03, Miscellaneous Construction Package 1-A-03 to Key Concrete, Inc. in the amount of $28,720.00. Motion carried. Notice of award to be sent. Transportation Engineering Services to prepare contracts.

13. Approval of Board of Public Works Minutes of May 28, 2003 and Final Hearing Minutes of May 28, 2003 for Improvement Resolution #6845-03, Sherborne Blvd. Phase II, Hastings Rd. to Vance Avenue:

Denise Porter-Ross moved approval of Board of Public Works Minutes of May 28, 2003 and Final Hearing Minutes of May 28, 2003 for Improvement Resolution #6845-03, Sherborne Blvd. Phase II, Hastings Rd. to Vance Avenue. Motion carried. Minutes approved.

14. **RESOLUTION** of the Board of Public Works Approving Right of Way Franchise to Lenacco Investments to install fiber optic cable on Robus Drive from 9206 Lima Rd. to 9134 Lima Road.

Denise Porter-Ross moved approval of RESOLUTION of the Board of Public Works Approving Right of Way Franchise to Lenacco Investments to install fiber optic cable on Robus Drive from 9206 Lima Rd. to 9134 Lima Road. Motion carried. Copy to be herein incorporated. Copy also to be placed in vault.

15. **RESOLUTION** of the Board of Public Works Approving Right of Wayne Franchise to ITT Industries to install fiber optic cable between 7310 Innovation Blvd. (ITT-Summit Park) and 1919 W. Cook Road (ITT-Technical Administration Center) and request to waive the franchise fee.

Rick Orr, Manager of Right-of-Way apprised the Board of the following: the recurring charges for installing cable under an arterial street would be $10,144.44. There is a City ordinance that allows the City to waive the fee. ITT is requesting that the fees be waived because they had to split their operations between a large manufacturing and an engineering center. This requires their facilities to be tightly linked with the latest digital and analog communications to be effective and competitive. Their proposed cabling will be placed in a spare conduit that they are willing to share with any other users including those in the adjacent Summit I and Summit II business parks.

Denise Porter-Ross moved approval of RESOLUTION of the Board of Public Works Approving Right of Wayne Franchise to ITT Industries to install fiber optic cable between 7310 Innovation Blvd. (ITT-Summit Park) and 1919 W. Cook Road (ITT-Technical Administration Center) and request to waive the franchise fee. Motion carried. Copy to be here incorporated and fee to be waived. Copy also to be on vile in the vault.

16. Approval of Encroachment License Agreement between the Board of Public Works and Johnson Brothers granting permission from the Board to place upon City right-of-way a sign at 200 E. Superior Street. The Encroachment License Agreement Committee recommends approval.

Denise Porter-Ross moved approval of Encroachment License Agreement between the Board of Public Works and Johnson Brothers granting permission from the Board to place upon City right-of-way a sign at 200 E. Superior Street. Motion carried. Copy to be sent to the Allen Recorders Office.

17. Approval of Cable Fund Access Board Access Channel Originator Grant Recipient Contracts between the Board of Public Works and the Editorial Board City-TV, Allen County Public Library, Indiana University-Purdue University Fort Wayne, and Fort Wayne Community Schools.

Rick Orr, Manager of Right-of-Way, stated that the Cable Fund Access Board met on May 8, 2003 and the grant money was distributed to the above applicants.

Denise Porter-Ross thanked Rick Orr for his hard work in connection with Cable.

Denise Porter-Ross moved approval of Cable Fund Access Board Access Channel Originator Grant Recipient Contracts between the Board of Public Works and the Editorial Board City-TV, Allen County Public Library, Indiana University-Purdue University Fort Wayne, and Fort Wayne Community Schools. Motion carried. Copies to be placed on file in vault.

18. Approval of Purchase Agreement between John E. and June H. Hilker and the City of Fort Wayne for Acquisition of Property Located at 1138 and 1202 Spy Run Avenue.

Daniel Brenner, Property Manager, stated that the above-mentioned property is located near the Water Filtration Plant. The City will make a $34,000.00 settlement payment to the seller at the time of closing, and additional payment of $51,750.00 six months after the date of closing. The City will pay the seller the balance of the purchase price $49,250.00 one year from the date of closing or within 30 days after written notice has been received from Seller that the building has been vacated.

John Suarez moved approval of Purchase Agreement between John E. and June H. Hilker and the City of Fort Wayne for Acquisition of Property Located at 1138 and 1202 Spy Run Avenue. Motion carried. Copy to be placed on file in vault.

19. **IMPROVEMENT RESOLUTION #6959-03,** Old Trail Neighborhood.

Mario Trevino, Transportation Engineering Services, said that this improvement is for spot sidewalk replacement along Prairie Grove Drive, Orchard Lane, & Waynedale Blvd. Project will also include tree fertilization, mulched seeding and restoration.

Denise Porter-Ross moved approval of Improvement Resolution #6959-03. Motion carried. Copy to be herein incorporated. Bids to be received on June 11, 2003.

20. **IMPROVEMENT RESOLUTION #6960-03,** Rothman Road & St. Joe Road Intersection.

David Ross, City Engineer, stated that this improvement is to widen pavement to provide a new north bound auxiliary right turn lane; wedge, resurface and mark pavement; construct new curb along east side of right turn lane; rehabilitate stormwater drainage system; seeding restoration and other related roadway work.

Denise Porter-Ross moved approval of Improvement Resolution #6960-03. Motion carried. Copy to be herein incorporated.

21. Approval of Agreement between the City of Fort Wayne and Hofer & Davis, Inc. to provide professional services to the Right-of-Way Engineering of improvements to Indianapolis Road. Property services include: legal descriptions for 3 parcels, exhibit map and staking.

John Suarez moved approval of Agreement between the City of Fort Wayne and Hofer & Davis, Inc. to provide professional services to the Right-of-Way Engineering of improvements to Indianapolis Road. Property services include: legal descriptions for 3 parcels, exhibit map and staking. Motion carried. Copy to be herein incorporated.

22. Approval of Change Order #1 & FINAL received from Key Concrete for Improvement Resolution #6909-03, Oakhurst Addition Sidewalks decreasing the contract amount by $369.03. The original contract price was $8,074.50. The new contract price including this change order is $7,705.47.

Mario Trevino, Transportation Engineering Services, said that this Change Order is for a final quantities adjustment.

Denise Porter-Ross moved approval of Change Order #1 & FINAL received from Key Concrete for Improvement Resolution #6909-03, Oakhurst Addition Sidewalks decreasing the contract amount by $369.03. Motion carried. Contract price to be decreased.

23. Approval of Construction Contract #6949-03 between Hipskind Concrete Corp. and the City of Fort Wayne for Crown Colony in the amount of $108,475.20.

John Suarez moved approval of Construction Contract #6949-03 between Hipskind Concrete Corp. and the City of Fort Wayne for Crown Colony in the amount of $108,475.20. Motion carried. Contract to be sent to City Council.

24. Approval of Construction Contract #6927-03 between Benchmark Construction and the City of Fort Wayne for Beechwood Drive in the amount of $113,600.00.

Denise Porter-Ross moved approval of Construction Contract #6927-03 between Benchmark Construction and the City of Fort Wayne for Beechwood Drive in the amount of $113,600.00. Motion carried. Contract to be sent to City Council.

25. Approval of Amendment #2 to Professional Services Agreement dated May 13, 1999 between the City of Fort Wayne and Russell Engineering Associates, Inc. for Design of North McMillen Park Storm Collection System. The cost of the Amendment is a not-to-exceed sum of $71,400.00. The revised total contract amount is $358,300.00. Planning & Design Services recommend approval.

Pat Callahan, Planning & Design, apprised the Board of the following: this amendment covers the change of scope of work and the increased costs due to city delays. The project has been broken into three construction contracts instead of two and a more detailed analysis of runoff was requested to improve the drainage in the project area. The original contract was put on hold three years ago to secure additional funding. The delay costs are due to inflation.

Denise Porter-Ross moved approval of Amendment #2 to Professional Services Agreement dated May 13, 1999 between the City of Fort Wayne and Russell Engineering Associates, Inc. for Design of North McMillen Park Storm Collection System. Motion carried. Copy to be placed on file in vault. Notice to proceed to be sent.

26. Approval of Change Order #2 & FINAL received from Robbco, Inc. for Contract #03-01, Restoration of Water Utility Cuts increasing the total contract price by $47,172.66. The original contract price was $248,280.59. The new contract price including this change order is $295,453.25.

Bill Simmons, Water Resources, said that this increase is due to restoring an unexpected amount of concrete and asphalt street cuts where water main breaks occurred and line valves had to be replaced.

Denise Porter-Ross moved approval of Change Order #2 & FINAL received from Robbco, Inc. for Contract #03-01, Restoration of Water Utility Cuts increasing the total contract price by $47,172.66. Motion carried. Contract price to be increased.

27. Approval of Change Order #1 received from JMS Process Consultants & Engineers for Contract #1500-2002, Non-Destructive Examination for the Evaluation of the City of Fort Wayne WPCP Chlorination System increasing the total contract price by $4,905.00. The original contract price was $67,600.00. The new contract price including this change order is $72,505.00.

Bill Maxwell, Engineering Support Services, apprised the Board that this Change Order is due to the following:

(1) JMS was delayed due to plant supplied valves and pressure reducing valves failing to be on site.

(2) Delay cost was again suffered due to the PSV's not be correct once received.

(3) A chlorine line at the loading station was discovered to require repair before testing and reuse. JMS was directed to effect repairs.

(4) Chlorine Supply piping was found to be defective, and also it was determined that some of the risks could be diminished by moving the pressure reducing station within the building. JMS was directed to complete the move and repair of pipeline.

John Suarez moved approval of Change Order #1 received from JMS Process Consultants & Engineers for Contract #1500-2002, Non-Destructive Examination for the Evaluation of the City of Fort Wayne WPCP Chlorination System increasing the total contract price by $4,905.00. Motion carried. Contract price to be increased.

28. Approval of Change Order #1 & FINAL received from Geiger Excavating, Inc. for Contract #1514-03, Camp Scott Wetlands Phase III decreasing the contract price by $12,000.00. The original contract price was $114,874.80. The new contract price including this Change Order is $102,874.80.

Ron Sheppard, Engineering Support Services, said that the project was completed $12,000.00 under the bid price.

Denise Porter-Ross moved approval of Change Order #1 & FINAL received from Geiger Excavating, Inc. for Contract #1514-03, Camp Scott Wetlands Phase III decreasing the contract price by $12,000.00. Motion carried. Contract price to be decreased.

29. Approval of recommendation received from Engineering Support Services to accept the work performed by Dafforn Excavating on Contract #1109-02, Plaza & S. Colonial Water Main Replacement as an integral part of the City's water distribution system.

John Suarez moved approval of recommendation received from Engineering Support Services to accept the work performed by Dafforn Excavating on Contract #1109-02, Plaza & S. Colonial Water Main Replacement as an integral part of the City's water distribution system. Motion carried. Acceptance letter to be sent.

30. Approval of Authorization for Full Release of Escrow from Dafforn Excavating for Contract #1009-02, Plaza & S. Colonial Water Main Replacement in the amount of $12,426.02. The Escrow Agent is Grabill Bank.

Denise Porter-Ross moved approval of Authorization for Full Release of Escrow from Dafforn Excavating for Contract #1009-02, Plaza & S. Colonial Water Main Replacement in the amount of $12,426.02. Motion carried. Release of Escrow to be sent to the Escrow Agent.

31. Approval of Construction Contract 1539-02 between Votaw Electric and the City of Fort Wayne for Portable Emergency Generator at Water Booster Stations in the amount of $98,251.00.

John Suarez moved approval of Construction Contract 1539-02 between Votaw Electric and the City of Fort Wayne for Portable Emergency Generator at Water Booster Stations in the amount of $98,251.00. Motion carried. Notice to proceed to be sent.

32. Approval of Barrett Law Claims in the amount of $7,937.14.

Denise Porter-Ross moved approval of Barrett Law Claims in the amount of $7,937.14. Motion carried. Barrett Law Claims to be sent to the Department of Finance.

33. Approval of General Accounting Claims in the amount of $9,398,551.01.

John Suarez moved approval of General Accounting Claims in the amount of $9,398,551.01. Motion carried. General Accounting Claims to be sent to the Department of Finance.

34. Old Business.

None.

35. New Business.

Resolution of the Board of Public Works of the City of Fort Wayne, Indiana regarding lease of items of capital equipment for use by the City of Fort Wayne Street Department.

Valerie Breen, Deputy Controller, stated that the equipment is question is a Johnston Street Sweeper and Asphalt Distributor Truck. The Indiana Bond Bank is the leasing agency.

Denise Porter-Ross moved approval of Resolution of the Board of Public Works of the City of Fort Wayne, Indiana regarding lease of items of capital equipment for use by the City of Fort Wayne Street Department. Motion carried. Copy to be herein incorporated.

RESOLUTION of the Board of Public Works - Water Fee Availability Fee Adjustment.

Jack Suter, Development Services, stated that effective this date and until May 1, 2004, the Water Service Availability Fee shall be $105.25 for each connection within the area of Bass and Thomas East of I-69 as described in Exhibit A in the original Resolution and the fee will be used to reimburse the investment group.

Denise Porter-Ross moved approval of RESOLUTION of the Board of Public Works – Water Fee Availability Fee Adjustment. Motion carried. Copy to be herein incorporated.

Approval of recommendation received from Eng. Support Services to accept the work by Frontier Contractors on Sanitary Sewer Contract #2002-S-37, Creekwood Section III Sanitary.

John Suarez moved approval of recommendation received from Eng. Support Services to accept the work by Frontier Contractors on Sanitary Sewer Contract #2002-S-37, Creekwood Section III Sanitary. Motion carried. Acceptance letter to be sent.

Approval of Cover Sheet for West Jefferson Blvd. Trail Project.

Denise Porter-Ross moved approval of Cover Sheet for West Jefferson Blvd. Trail Project. Motion carried. Cover Sheet approved.

Meeting adjourned at 9:55 a.m.

Robert P. Kennedy, Chairman

John Suarez, Member

Denise Porter-Ross, Member

ATTEST: Carolyn S. Newport, Clerk

BOARD OF STORMWATER MANAGEMENT
ROOM 250—OMNI ROOM
MEETING HELD AT 9:00 A.M.

GREG MESZAROS, CHAIRMAN
JOHN SUAREZ, MEMBER
DENISE PORTER-ROSS, MEMBER

CAROLYN S. NEWPORT, CLERK

PRESENT: John Suarez & Denise Porter-Ross, Members, Carolyn Newport, Clerk; David Ross, City Engineer; Mario Trevino, Transportation Engineering Services; George Cook & Jim Riemke, Traffic Eng./Street Light Engineering; Charles Bailey & Carl Wilson, Contract Compliance; Kristine Degabriele, Law Department; Jim Howard, City Purchasing Director; Valerie Breen, Controller's Office; Ken Nicolet, Customer Service, BOW/Utilities; Daniel Brenner, Property Manager; Rick Orr, Right-of-Way Department; Bill Simmons, Water Resources; Ron Sheppard & Bill Maxwell, Engineering Support Services; Mary Jane Slaton, Jack Suter, & Nancy Townsend, Development Services; Mark Gensic & Bill Maxwell, Planning & Design. Greg Meszaros, absent.

1. Approval of Board of Stormwater Management Minutes of May 28, 2003.
   John Suarez moved approval of Board of Stormwater Management Minutes of May 28, 2003. Motion carried. Minutes approved.

2. **AWARD:** Improvement Resolution #1551-03, Vance Avenue – Reed Rd. Storm Drainage Improvement to Everett Drainage & Excavating in the amount of $39,628.75. Contract Compliance concurs with this award.
   John Suarez moved approval of AWARD for Improvement Resolution #1551-03, Vance Avenue – Reed Rd. Storm Drainage Improvement to Everett Drainage & Excavating in the amount of $39,628.75. Motion carried. Notice of award to be sent. Engineering Support Services to prepare contracts.

3. Approval of Storm Sewer Contract #2003-ST-02 between the Chestnut Group, Inc. and the Fort Wayne Stormwater Utility to construct a local storm drainage system to serve Kensington Downs East Section IV.

   Jack Suter, Development Services, said that said contract to include HDPE/650 lf/12 inch diameter, HDPE/392 LF/18 inch diameter, RCP/184 LF/12 inch diameter.

   John Suarez moved approval of Storm Sewer Contract #2003-ST-02 between the Chestnut Group, Inc. and the Fort Wayne Stormwater Utility to construct a local storm drainage system to serve Kensington Downs East Section IV. Motion carried. Storm drainage system to be constructed.

4. Approval of Storm Sewer Contract #2003-ST-03 between the Indiana Institute of Technology and the Fort Wayne Stormwater Utility to construct a local storm drainage system to serve IIT Student Center Storm Sewer.

   Jack Suter Development Services, said that said storm drainage to include 270 lf 18-inch diameter RCP & 171 lf 27-inch diameter RCP.
   John Suarez moved approval of Storm Sewer Contract #2003-ST-03 between the Indiana Institute of Technology and the Fort Wayne Stormwater Utility to construct a local storm drainage system to serve IIT Student Center Storm Sewer. Motion carried. Storm drainage system to be constructed.

5. Old Business.

   None.

6. New Business.

Approval of recommendation received from Engineering Support Services to accept the work performed by Crosby Excavating on Resolution #672-02, Ventura Lane West Stormwater System Improvements as an integral part of the City's storm drainage system.
John Suarez moved to accept the work performed by Crosby Excavating on Resolution #672-02. Motion carried. Acceptance letter to be sent.

IMPROVEMENT RESOLUTION #1602-03, North Washington Road At. 4131 & 4205 Drainage Improvement.

Nancy Townsend, Development Services said that this improvements is for spot drainage in an area identified through the Customer Services Surveys. Improvement to be performed by Bercot, Inc. in the amount of $19,791.00.
John Suarez moved approval of IMPROVEMENT RESOLUTION #1602-03, North Washington Road At. 4131 & 4205 Drainage Improvement. Motion carried. Copy herein incorporated.

Meeting adjourned at 10:10 a.m.

Greg Meszaros, Chairman

John Suarez, Member

Denise Porter-Ross, Member

ATTEST: Carolyn S. Newport
Carolyn S. Newport, Clerk

City Utilities
Water Resources

Interoffice Memo

Date: June 9, 2003

To: Board of Works

From: Ron Sheppard, Engineering Support Services

Cc: File

Re: **Project Name:** Sewer Inspection & Cleaning
Contract # : 87-43-15(7)

Attached for your review is the bid tabulation for the above referenced project. Engineering Support Services has reviewed the bids received from Reynolds Inliner, LLC and Fluid Waste Services respectively.

We recommend the contract for this project be awarded to Reynolds Inliner, LLC as the low bidder.

Please note: None of the pre qualified five firms bid on this project. Reynolds has the experience to perform required work. Water Resources Department has worked with Reynolds on a number of lining projects and they have demonstrated their ability to perform required operations included in this contract. At this time I have not been able to identify why the five firms did not bid on this project. Advertisement for bid was done in the same format for contract #7 as for contract #6.

This project will be funded by Sanitary-Sewer Utility.

Robert P. Kennedy R P K
John Suarez
Denise Porter Boise
6-11-03

	PROJECT:	Sewer Inspection & Cleaning Service Contract								
	Resolution#:	87-43-15(7)								
	Work Order#:	NA								
	Contract / Program Manager:	David Skinner / Ron Sheppard								
	Bid Date:	May 28, 2003								
	Funding:	Sewer								
	BID				**ENGINEER'S ESTIMATE**		**Reynolds Inliner, LLC**		**Fluid Waste Servoces**	
Item#	Description	Size	Quantity	Unit	Unit Price	Extension	Unit Price	Extension	Unit Price	Extension
1	Light Cleaning	15"-18"	901	L.F.	1.10	$ 991.10	$ 2.40	$ 2,162.40	$ 0.79	$ 711.79
2	Light Cleaning	20"-27"	2,117	L.F.	1.30	$ 2,752.10	$ 2.40	$ 5,080.80	$ 0.99	$ 2,095.83
3	Light Cleaning	30"-36"	993	L.F.	1.50	$ 1,489.50	$ 2.40	$ 2,383.20	$ 1.19	$ 1,181.67
4	Moderate Cleaning	15"-18"	1,352	L.F.	1.90	$ 2,568.80	$ 2.40	$ 3,244.80	$ 1.07	$ 1,446.64
5	Moderate Cleaning	20"-27"	3,175	L.F.	2.05	$ 6,508.75	$ 2.40	$ 7,620.00	$ 1.27	$ 4,032.25
6	Moderate Cleaning	30"-36"	1,490	L.F.	2.35	$ 3,501.50	$ 2.40	$ 3,576.00	$ 1.47	$ 2,190.30
7	Heavy Cleaning	15"-18"	2,253	L.F.	2.75	$ 6,195.75	$ 2.40	$ 5,407.20	$ 1.57	$ 3,537.21
8	Heavy Cleaning	20"-27"	5,291	L.F.	3.10	$ 16,402.10	$ 2.40	$ 12,698.40	$ 4.75	$ 25,132.25
9	Heavy Cleaning	30"-36"	2,482	L.F.	3.45	$ 8,562.90	$ 2.40	$ 5,956.80	$ 5.75	$ 14,271.50
10	Extra Heavy Cleaning	15"-18"	4,506	L.F.	3.35	$ 15,095.10	$ 1.70	$ 7,660.20	$ 3.25	$ 14,644.50
11	Extra Heavy Cleaning	20"-27"	10,583	L.F.	3.85	$ 40,744.55	$ 1.70	$ 17,991.10	$ 6.75	$ 71,435.25
12	Extra Heavy Cleaning	30"-42"	4,991	L.F.	4.75	$ 23,707.25	$ 1.70	$ 8,484.70	$ 8.50	$ 42,423.50
13	TV Inspection		40,133	L.F.	1.00	$ 40,133.00	$ 1.10	$ 44,146.30	$ 0.79	$ 31,705.07
14	Manhole Inspections		289	Each	35.00	$ 10,115.00	$ 22.50	$ 6,502.50	$ 45.00	$ 13,005.00
15	Work Allowance		1	LS	35,000.00	$ 35,000.00	$ 35,000.00	$ 35,000.00	$ 35,000.00	$ 35,000.00
16	De-rooting	15"-18"	2000	L.F.	2.50	$ 5,000.00	$ 1.70	$ 3,400.00	$ 1.95	$ 3,900.00
17	De-rooting	20"-27"	2000	L.F.	3.00	$ 6,000.00	$ 2.80	$ 5,600.00	$ 2.25	$ 4,500.00
18	De-rooting	30"-42"	2000	L.F.	4.00	$ 8,000.00	$ 2.80	$ 5,600.00	$ 3.00	$ 6,000.00
19	By-pass Pumping	All Sizes	250	Per Hour	$65.00	$ 16,250.00	$ 140.00	$ 35,000.00	$ 225.00	$ 56,250.00
	TOTAL BASE BID					$ 249,017.40		$ 217,514.40		$ 333,462.76

June 11, 2003

Board of Public Works
Hearing held at 10:00 a.m.
Omni Room – Room 250

Robert P. Kennedy, Chairman
Denise Porter-Ross, Member
John Suarez, Member

Carolyn S. Newport, Clerk

PRESENT:A All Members & Clerk; Marj Enders, Barrett Law Accountant; Denny Root, Transportation Engineering Services; Daniel Brown, resident of 1309 Irene.

1. Preliminary Hearing to confirm Improvement Resolution #6956-03, Irene Avenue: Ethel Avenue to Poinsette Avenue.

   Denny Root, explained the scope of the work.

   Denise Porter-Ross moved to confirm Improvement Resolution #6956-03. Motion carried. REMONSTRANCE DATE IS JUNE 23, 2003.

Meeting adjourned at 10:15 a.m.

Robert Kennedy
~~Greg Meszaros~~, Chairman
Robert P Kennedy

John Suarez, Member

Denise Porter Ross
Denise Porter-Ross, Member

ATTEST: Carolyn S Newport
Carolyn S. Newport, Clerk

June 11, 2003

Board of Public Works
Hearing held at 10:15 a.m.
Omni Room – Room 250

Robert P. Kennedy, Chairman
Denise Porter-Ross, Member
John Suarez, Member

Carolyn S. Newport, Clerk

PRESENT: All Members & Clerk; Mary Jane Slaton, Development Services.

1. Final Hearing confirming Resolution #80-136-19 appropriating & condemning real property for use by the City of Fort Wayne, Indiana for construction of the Neuhaus Phase II Interceptor Sewer Project and sustaining the award of damages and the assessment of benefits.

   Mary Jane Slaton stated that the property owner had been notified by certified main of this hearing and had not responded.
   Denise Porter-Ross moved to confirm Resolution #80-136-19 appropriating & condemning real property for use by the City of Fort Wayne, Indiana for construction of the Neuhaus Phase II Interceptor Sewer Project and sustaining the award of damages and the assessment of benefits. Copy of Resolution executed confirming and reaffirming the City's desire to condemn the property described in Exhibit A and as set forth in the Original Resolution. Copy herein incorporated.

Meeting adjourned at 10:25 a.m.

Robert Kennedy
Robert P. Kennedy, Chairman

John Suarez, Member

Denise Porter-Ross
Denise Porter-Ross, Member

ATTEST: Carolyn S. Newport
Carolyn S. Newport, Clerk

BOARD OF STORMWATER MANAGEMENT
ROOM 250—OMNI ROOM
MEETING HELD AT 9:00 A.M.

GREG MESZAROS, CHAIRMAN
JOHN SUAREZ, MEMBER
DENISE PORTER-ROSS, MEMBER

CAROLYN S. NEWPORT, CLERK

PRESENT: John Suarez, Denise Porter-Ross, and Carolyn S. Newport, BOPW; Mario Trevino & Gary Ainslie, Transportation Engineering Services; Charles Bailey & Carl Wilson, Contract Compliance; Dan Brenner, Property Manager; Kristine Degabriele, Law Department; Mary Jane Slaton & Jack Suter, Development Services; Mark Gensic, Planning & Design; Dan Smith, Engineering Support Services; Ken Nicolet, Customer Services, BOW/CU, Justin Bruegger, Division of Public Works. Greg Meszaros, absent.

1. Approval of Board of Stormwater Management Minutes of June 4, 2003.

   John Suarez moved approval of Board of Stormwater Management Minutes of June 4, 2003. Motion carried. Minutes approved.

2. Approval of Professional Services Agreement between the City of Fort Wayne and Clark Dietz, Inc. for Stormwater NPDES – IDEM Rule 13 Permitting Assistance. The cost for services to be provided under this agreement is a not-to-exceed total of $54,000.00. Planning & Design Services recommend approval.

   Mark Gensic, Planning & Design, said that this project includes providing assistance to the City of Fort Wayne in development and submittal of the Notice of Intent application forms and the Storm Water Quality Management Plant (SWPMP) Part A– Initial Application as requested by IDEM Rule 13. Also included is the identification and development of preliminary approaches to Rule 13 submittal requirements of SWQMP Park B – Baseline Characterization and Report and SWPMP Part C – Program Implementation.

   John Suarez moved approval of Professional Services Agreement between the City of Fort Wayne and Clark Dietz, Inc. for Stormwater NPDES – IDEM Rule 13 Permitting Assistance. Motion carried. Copy to be placed on file in vault. Notice to proceed to be sent.

3. Approval of Storm Sewer Contract #2003-ST-04 between Mill Ridge Development Corporation and the Fort Wayne Stormwater Utility to construct a local storm drainage system to serve Springfield Section IV.

   Jack Suter, Development Services, said that this development is near St. Joe Center & Lahmeyer and the drainage system would serve 22 lots.

   John Suarez moved approval of Storm Sewer Contract #2003-ST-04 between Mill Ridge Development Corporation and the Fort Wayne Stormwater Utility to construct a local storm drainage system to serve Springfield Section IV. Motion carried. Storm drainage system to be constructed.

4. Approval of recommendation received from Engineering Support Services to accept the work performed by Land, Inc. on Contract #671-02, Standish Drive Pettit to Capitol Stormwater Drainage as an integral part of the City's stormwater drainage system.

   John Suarez moved approval of recommendation received from Engineering Support Services to accept the work performed by Land, Inc. on Contract #671-02, Standish Drive Pettit to Capitol Stormwater Drainage as an integral part of the City's stormwater drainage system. Motion carried. Acceptance letter to be sent.

5. Old Business.

None.

6. New Business.

None.

Meeting adjourned at 9:55 a.m.

Greg Meszaros, Chairman

John Suarez, Member

Denise Porter-Ross, Member

ATTEST: Carolyn S. Newport

Carolyn S. Newport, Clerk

BOARD OF PUBLIC WORKS
ROOM 250—OMNI ROOM
MEETING HELD AT 9:00 A.M.

ROBERT P. KENNEDY, CHAIRMAN
JOHN SUAREZ, MEMBER
DENISE PORTER-ROSS, MEMBER

CAROLYN S. NEWPORT, CLERK

PRESENT: All Members & Clerk, BOPW; Mario Trevino & Gary Ainslie, Transportation Engineering Services; Charles Bailey & Carl Wilson, Contract Compliance; Dan Brenner, Property Manager; Kristine Degabriele, Law Department; Mary Jane Slaton & Jack Suter, Development Services; Mark Gensic, Planning & Design; Dan Smith, Engineering Support Services; Ken Nicolet, Customer Services, BOW/CU, Justin Brugger, Division of Public Works. Greg Meszaros, absent.

1. RECEIVE BIDS: Resolution #1558-03: IIT-Schick Street Storm Sewer Improvement.

BIDDERS	BASE BID
Bercot, Inc.	$169,289.00
Crosby Excavating	**$151,151.65**
Engineers Estimate	**$162,600.00**

Engineering Support Services to tabulate and report.

2. RECEIVE BIDS: Resolution#6908-03: Miscellaneous Construction Package 4-A-03.

BIDDERS	BASE BID
Garcia Concrete Construction	$27,748.00
Hipskind Concrete	$33,229.75
Key Concrete, Inc.	**$24,773.00**
Newell Construction	$29,217.00
Engineers Estimate	**$32,480.00**

Transportation Engineering Services to tabulate and report.

3. RECEIVE BIDS: Resolution#6917-03: Lincoln Park Neighborhood-2003.

BIDDERS	BASE BID
Garcia Concrete Construction	$38,300.00
Hipskind Concrete	$59,793.00
Key Concrete, Inc.	**$34,769.00**
Engineers Estimate	**$35,953.00**

Transportation Engineering Services to tabulate and report.

4. RECEIVE BIDS: Resolution#6959-03: Invitation to Bidders: Old Trail Neighborhood Concrete Sidewalk Improvement.

BIDDERS	BASE BID
Benchmark Construction	$21,050.00
Garcia Concrete Construction	$20,535.00
Hipskind Concrete	$27,424.00
Key Concrete, Inc.	**$17,725.00**
Newell Construction	$28,820.00
Engineers Estimate	**$17,950.00**

Transportation Engineering Services to tabulate and report.

5. Approval of Board of Public Works Minutes of June 4, 2003.

John Suarez moved approval of Board of Public Works Minutes of June 4, 2003. Motion carried. Minutes approved.

6. **AWARD: Improvement Resolution #286-03,** Lima Road (Coliseum to Ley) Street Light Improvement to Robert Henry Corporation in the amount of $34,090.00. Contract Compliance concurs with this award.

Denise Porter-Ross moved approval of award for Lima Road (Coliseum to Ley) Street Light Improvement to Robert Henry Corporation in the amount of $34,090.00. Motion carried. Notice of award to be sent. Street Light Engineering to prepare contracts.

7. **AWARD:** Improvement Resolution #1554-02, 4700 Block of Stellhorn Road Sanitary Sewer Petition to Reinhart's Excavating in the amount of $28,080.00. Contract Compliance concurs with this award.

John Suarez moved approval of award for Improvement Resolution #1554-02, 4700 Block of Stellhorn Road Sanitary Sewer Petition to Reinhart's Excavating in the amount of $28,080.00. Motion carried. Notice of award to be sent. Engineering Support Services to prepare contracts.

8. **AWARD:** Improvement Resolution #87-43-15 (7) Sewer Inspection & Cleaning Contracts to Reynolds Inliner, LLC in the amount of $217,514.40. Contract Compliance concurs with this award.

Denise Porter-Ross moved approval of award for Improvement Resolution #87-43-15 (7) Sewer Inspection & Cleaning Contracts to Reynolds Inliner, LLC in the amount of $217,514.40. Motion carried. Notice of award to be sent. Engineering Support Services to prepare contracts.

9. **AWARD:** Improvement Resolution #6953-03, Pettit-Rudisill Neighborhood 2003 to Primco Inc., in the amount of $36,427.29. Contract Compliance concurs with this award.

John Suarez moved approval of award for Improvement Resolution #6953-03, Pettit-Rudisill Neighborhood 2003 to Primco Inc., in the amount of $36,427.29. Motion carried. Notice of award to be sent. Transportation Engineering Services to prepare contracts.

10. **AWARD:** Improvement Resolution #6955-03, Hale Avenue to Hipskind Concrete in the amount of $57,902.60. Contract Compliance concurs with this award.

Denise Porter-Ross moved approval of award for Improvement Resolution #6955-03 to Hipskind Concrete in the amount of $57,902.60. Motion carried. Notice of award to be sent. Transportation Engineering Services to prepare contracts.

11. **AWARD:** Roofing Bids for Police Academy Main Building to CMS Roofing in the amount of $88,300.00. Contract Compliance concurs with this award.

Daniel Brenner, Property Manager, stated that CMS Roofing was the lowest of four bidders on this project.

Denise Porter-Ross moved approval of Roofing Bids for Police Academy Main Building to CMS Roofing in the amount of $88,300.00. Motion carried. Notice of award to be sent.

12. **AWARD:** Firing Range Building located at 1903 St. Mary's Ave., to Fort Wayne Roofing in the amount $34,200.00.

Daniel Brenner, Property Manager, stated that Fort Wayne Roofing was the lowest of four bidders on this project.

John Suarez moved approval of award for Firing Range Building located at 1903 St. Mary's Ave., to Fort Wayne Roofing in the amount $34,200.00. Motion carried. Notice of award to be sent.

13. Approval of Grant Agreement between the City of Fort Wayne Board of Public Works and Indiana Institute of Technology whereas the City agrees to allocate $25,000.00 from District 1 CEDIT Funds to be used for capital expenses relating to the vacation of Walter Street and to the vacated alleys – including costs to remove existing walks, curbs, drive approaches, alley approaches, and storm water inlets – and the resultant reconfiguration of curbs and sidewalks along Maumee Avenue and Washington Blvd., where Walter Street formerly intersected Maumee Avenue and Washington Blvd.

Denise Porter-Ross moved approval of Grant Agreement between the City of Fort Wayne Board of Public Works and Indiana Institute of Technology whereas the City agrees to allocate $25,000.00 from District 1 CEDIT Funds to be used for capital expenses relating to the vacation of Walter Street and to the vacated alleys – including costs to remove existing walks, curbs, drive approaches, alley approaches, and storm water inlets – and the resultant reconfiguration of curbs and sidewalks along Maumee Avenue and Washington Blvd., where Walter Street formerly intersected Maumee Avenue and Washington Blvd. Motion carried. Copy to be placed on file in vault.

14. Approval of Grant Agreement between the City of Fort Wayne Board of Public Works and the Allen County Fort Wayne Historical Society whereas the City Agrees to allocate $10,000.00 from 1st District CEDIT Funds for Barr Street Market Section (repair and replacement of pavers/joints, additional benches, completion of lighting and replacing planters and contents).

John Suarez moved approval of Grant Agreement between the City of Fort Wayne Board of Public Works and the Allen County Fort Wayne Historical Society whereas the City Agrees to allocate $10,000.00 from 1st District CEDIT Funds for Barr Street Market Section (repair and replacement of pavers/joints, additional benches, completion of lighting and replacing planters and contents). Motion carried. Copy to be placed on file in vault.

15. **IMPROVEMENT RESOLUTION #6958-03,** Public Sidewalk Curb Ramps 2003 – Pkg. 1.

Mario Trevino, Transportation Engineering Services, said that this is for the construction of ADA curb ramps in the following additions: Jonathon Oaks Addition, Cambridge Oaks Addition, New Glenwood Park, Maplewood Terrance and Downs, and Wedgewood Place.

John Suarez moved approval of IMPROVEMENT RESOLUTION #6958-03, Public Sidewalk Curb Ramps 2003 – Pkg. 1. Motion carried. Copy to be herein incorporated. Bids to be received on July 2, 2003.

16. Approval of Change Order #1 & FINAL received from Key Concrete for Improvement Resolution #6895-02, Public Sidewalk Curb Ramps 2002-Pkg V, increasing the contract price by $5,488.06. The original contract price was $121,562.00. The new contract price including this change order is $127,050.06.

Mario Trevino, Transportation Engineering Services, said that additional curb and sidewalk was required to make proper transition from existing conditions into new ramp, therefore increasing the cost.

Denise Porter-Ross moved approval of Change Order #1 & FINAL received from Key Concrete for Improvement Resolution #6895-02, Public Sidewalk Curb Ramps 2002-Pkg V, increasing the contract price by $5,488.06. Motion carried. Contract price to be increased.

17. Approval of Change Order #2 received from Wayne Asphalt for Improvement Resolution #6914-03, Harrison Street (South) increasing the contract price by $3,450.00. The original contract price was $161,762.00. The new contract price including this change order is $176,737.00.

Mario Trevino, Transportation Engineering Services, said that to complete improvements to Harrison Street Project, the contractor had to add tree & stump removal and clean up for 12 trees. This additional work and extra care taken during curb removal require an additional 14 calendar days to the completion date.

John Suarez moved approval of Change Order #2 received from Wayne Asphalt for Improvement Resolution #6914-03, Harrison Street (South) increasing the contract price by $3,450.00. Motion carried. Contract price to be increased.

18. Approval of Construction Contract #6932-03 between Hipskind Concrete and the City of Fort Wayne for Gilbert Drive in the amount of $90,435.00.

Denise Porter-Ross moved approval of Construction Contract #6932-03 between Hipskind Concrete and the City of Fort Wayne for Gilbert Drive in the amount of $90,435.00. Motion carried. Notice to proceed to be sent.

19. Approval of Construction Contract #6946-03 between Brooks Construction Co., Inc., and the City of Fort Wayne for Barthold Street: Third Street to Spring Street in the amount of $72,500.50.

John Suarez moved approval of Construction Contract #6946-03 between Brooks Construction Co., Inc., and the City of Fort Wayne for Barthold Street: Third Street to Spring Street in the amount of $72,500.50. Motion carried. Notice to proceed to be sent.

20. Approval of Construction Contract #6950-03 between Garcia Concrete Construction and the City of Fort Wayne for Misc. Const. Pkg. 6-A-03 in the amount of $24,464.00.

Denise Porter-Ross moved approval of Construction Contract #6950-03 between Garcia Concrete Construction and the City of Fort Wayne for Misc. Const. Pkg. 6-A-03 in the amount of $24,464.00. Motion carried. Notice to proceed to be sent.

21. Approval of Assessment Roll for Improvement Resolution #6909-03, Oakhurst Park Addition. Property Owners have waived their right to a public hearing.

John Suarez moved approval of Assessment Roll for Improvement Resolution #6909-03, Oakhurst Park Addition. Property Owners have waived their right to a public hearing. Motion carried. Assessments to be sent.

22. **IMPROVEMENT RESOLUTION #1603-2003,** Water Pollution Control Plant Asbestos Pipe Labeling and Repair.

Mark Gensic, Planning & Design, said that this Resolution orders the labeling and repair of asbestos containing pipe insulation at various locations at the WPC Plant. Mr. Gensic stated that said improvements shall be made in accordance with the Asbestos Containing Building Material Survey Report dated January 31, 2003 as prepared by ACM Environmental, Inc.

John Suarez moved approval of Improvement Resolution #1603-2003. Motion carried. Copy to be herein incorporated.

23. Approval of Professional Services Agreement between CH2M Hill and the City of Fort Wayne for Filtration Plant – Plant 3 Winterization Preliminary Design and Cost Estimate. The lump sum fee for this contract is $32,339.00. Planning and Design recommends approval.

Mark Gensic, Planning & Design, said that the purpose of the Plant 3 Winterization Project is to provide the equipment and enclosure needed to permit operation of Plant 3 during cold weather conditions, as conceptually identified in the Water Facilities Charette of January 2003.

Denise Porter-Ross moved approval of Professional Services Agreement between CH2M Hill and the City of Fort Wayne for Filtration Plant – Plant 3 Winterization Preliminary

Design and Cost Estimate. Motion carried. Copy to be placed on file in vault. Notice to proceed to be sent.

24. Approval of Construction Contract #1566-03 between Crosby Excavating and the City of Fort Wayne for Effie Drive Sanitary Sewer Extension in the amount of $98,831.50.

John Suarez moved approval of Construction Contract #1566-03 between Crosby Excavating and the City of Fort Wayne for Effie Drive Sanitary Sewer Extension in the amount of $98,831.50. Motion carried. Notice to proceed to be sent.

25. Approval of recommendation from Engineering Support Services to accept the work performed by Geiger Excavating, Inc., for Resolution #1514-03, Camp Scott Wetlands Phase IIIA.

Denise Porter-Ross moved approval of recommendation from Engineering Support Services to accept the work performed by Geiger Excavating, Inc., for Resolution #1514-03, Camp Scott Wetlands Phase IIIA. Motion carried. Acceptance letter to be sent.

26. Approval of Authorization for Full Release of Escrow from Geiger Excavating, Inc., for Resolution #1514-03, Camp Scott Wetlands Phase IIIA in the amount of $10,287.48. The Escrow Agent is Tower Bank.

Denise Porter-Ross moved approval of Authorization for Full Release of Escrow from Geiger Excavating, Inc., for Resolution #1514-03, Camp Scott Wetlands Phase IIIA in the amount of $10,287.48. The Escrow Agent is Tower Bank.

27. Approval of recommendation from Water Resources to accept the work performed by ROBBCO, INC., for Contract #03-01, Restoration of Water Maintenance Utility Cuts.

John Suarez moved approval of recommendation from Water Resources to accept the work performed by ROBBCO, INC., for Contract #03-01, Restoration of Water Maintenance Utility Cuts. Motion carried. Acceptance letter to be sent.

28. Approval of recommendation from Engineering Support Service to accept the work performed by Underground Contractors, Inc., for Contract #2002-S-47, Kensington Downs East Section IV-Sanitary as an integral part of the City's sanitary sewer system.

Denise Porter-Ross moved approval of recommendation from Engineering Support Service to accept the work performed by Underground Contractors, Inc., for Contract #2002-S-47, Kensington Downs East Section IV-Sanitary as an integral part of the City's sanitary sewer system. Motion carried. Acceptance letter to be sent.

29. Approval of recommendation from Engineering Support Services to accept the work performed by Geiger Excavating for Contract #2002-W-24, Grand Wayne Center Water Main Relocation as an integral part of the City's water main system.

John Suarez moved approval of recommendation from Engineering Support Services to accept the work performed by Geiger Excavating for Contract #2002-W-24, Grand Wayne Center Water Main Relocation as an integral part of the City's water main system. Motion carried. Acceptance letter to be sent.

30. Approval of Escrow Agreement between the City of Fort Wayne and All Star Construction for Resolution #1533-03, Indian Village Phase I Water Main Replacement. The Escrow Agent is Lake City Bank.

Denise Porter-Ross moved approval of Escrow Agreement between the City of Fort Wayne and All Star Construction for Resolution #1533-03, Indian Village Phase I Water Main Replacement. Motion carried. Escrow Agreement to be sent to the Escrow Agent.

31. Approval of Escrow Agreement between the City of Fort Wayne and Geiger Excavating for Resolution #625-01, Rothman Road Pump Station & Force Main. The Escrow Agent is Tower Bank.

John Suarez moved approval of Escrow Agreement between the City of Fort Wayne and Geiger Excavating for Resolution #625-01, Rothman Road Pump Station & Force Main. Motion carried. Copy to be sent to the Escrow Agent.

32. Approval of write-off of City Utilities Delinquent Revenue Accounts for the month of March 2003 in the amount of $48,854.23.

Denise Porter-Ross moved approval of write-off of City Utilities Delinquent Revenue Accounts for the month of March 2003 in the amount of $48,854.23. Motion carried. Delinquent accounts to be submitted to a collection agency.

33. Approval of write-off of City Utilities Delinquent Miscellaneous Billings in the amount of $3,362.24.

John Suarez moved approval of write-off of City Utilities Delinquent Miscellaneous Billings in the amount of $3,362.24. Motion carried. Miscellaneous billings to be sent to a collection agency.

34. Approval of Barrett Law Claims in the amount of $27,126.52.

John Suarez moved approval of Barrett Law Claims in the amount of $27,126.52. Motion carried. Barrett Law Claims to be sent to the Department of Finance.

35. Approval of General Accounting Claims in the amount of $5,434,703.25.

John Suarez moved approval of General Accounting Claims in the amount of $5,434,703.25. Motion carried. Claims to be sent to the Department of Finance.

36. Old Business:

None.

37. New Business:

None.

Meeting adjourned at 9:45 a.m.

Robert Kennedy

Robert P. Kennedy, Chairman

John Suarez, Member

Denise Porter-Ross

Denise Porter-Ross, Member

ATTEST: Carolyn S. Newport

Carolyn S. Newport, Clerk

BOARD OF PUBLIC WORKS
ROOM 250—OMNI ROOM
MEETING HELD AT 9:00 A.M.

ROBERT P. KENNEDY, CHAIRMAN
JOHN SUAREZ, MEMBER
DENISE PORTER-ROSS, MEMBER

CAROLYN S. NEWPORT, CLERK

PRESENT: Robert Kennedy, Denise Porter-Ross, Carolyn Newport, BOPW: David Ross, City Engineer, Kristine Degabriele, Law Department; Mario Trevino, Transportation Engineering Services; Jack Suter, Development Services; George Cook & Denny Bruce, Traffic Engineering; Ken Nicolet, Customer Services, DOPW/Utilities; Mark Gensic, Ted Nitza, Paul Powers & Pat Callahan, Planning & Design; John Perlich, PIO; Charles Bailey & Carl Wilson, Contract Compliance; Greg Meszaros, Director, Public Works/Utilities. John Suarez, absent.

1. RECEIVE BIDS: Resolution#6957-03: Abbott Street: Paulding Road to S. Terminus.

BIDDERS	BASE BID
Benchmark Construction	$105,632.00
Brooks Construction Co., Inc.	$117,965.50
E&B Paving	**$108,927.00**
Hipskind Concrete	$111,365.50
Wayne Asphalt	$110,000.00
Engineers Estimate	**$97,339.50**

Transportation Engineering to tabulate and report.

2. Approval of Board of Public Works Minutes of June 11, 2003, Preliminary Hearing Minutes of June 11, 2003 for Improvement Resolution 6956-03, Irene Avenue, and Final Hearing Minutes of June 11, 2003 for Resolution #80-136-19, Neuhaus Phase II Interceptor Sewer Project.

Denise Porter-Ross moved approval of Board of Public Works Minutes of June 11, 2003, Preliminary Hearing Minutes of June 11, 2003 for Improvement Resolution 6956-03, Irene Avenue, and Final Hearing Minutes of June 11, 2003 for Resolution #80-136-19, Neuhaus Phase II Interceptor Sewer Project. Motion carried. Minutes approved.

3. **AWARD:** Improvement Resolution #6908-03, Miscellaneous Construction Pkg. 4-A-03 to Key Concrete, Inc. in the amount of $24,773.00. Contract Compliance concurs with this award.

Denise Porter-Ross moved approval of AWARD for Improvement Resolution #6908-03, Miscellaneous Construction Pkg. 4-A-03 to Key Concrete, Inc. in the amount of $24,773.00. Motion carried. Notice of award to be sent. Transportation Engineering Services to prepare contracts.

4. **AWARD:** Improvement Resolution #6917-03, Lincoln Park Neighborhood 2003 to Key Concrete in the amount of $34,769.00. Contract Compliance concurs with this award.

Denise Porter-Ross moved approval of AWARD for Improvement Resolution #6917-03, Lincoln Park Neighborhood 2003 to Key Concrete in the amount of $34,769.00. Motion carried. Notice of award to be sent. Transportation Engineering Services to prepare contracts.

5. **AWARD:** Improvement Resolution #6959-03, Old Trail Neighborhood Sidewalk to Key Concrete, Inc., in the amount of $17,725.00. Contract Compliance concurs with this award.

Denise Porter-Ross moved approval of AWARD for Improvement Resolution #6959-03, Old Trail Neighborhood Sidewalk to Key Concrete, Inc., in the amount of $17,725.00. Motion carried. Notice of award to be sent. Transportation Engineering Services to prepare contracts.

6. A Resolution of the Board of Public Works of the City of Fort Wayne, Indiana, Continuing its Decision on Resolution 89-211-11 Confirming Resolution #89-183-6 of the Board of Public Works Appropriating and Condemning Real and Personal Property.

Greg Meszaros, Director of Board of Public Works/Utilities apprised the Board of the following: Last year, the Board of Public Works adopted a Resolution appropriating and condemning certain real and personal property of Utility Center and AquaSource located in the City of Fort Wayne, and St. Joseph, Cedar Creek and Perry Townships on the north side of Fort Wayne. Since that time, the City has been working to ensure that AquaSource is properly compensated for its north system assets. This Resolution authorizes further action in condemnation proceedings and calls for two appraisals of the north system assets. Upon completion of the Appraisals, the Board intends to review the results and determine the damages sustained and benefits accrued from the condemnation of the North System, and at that time, serve written notice upon the owners of the affected properties, and in such notice, name the date on which the Board shall receive or hear written remonstrances from persons with regard to their respective awards or assessments.

Denise Porter-Ross moved approval of A Resolution of the Board of Public Works of the City of Fort Wayne, Indiana, Continuing its Decision on Resolution 89-211-11 Confirming Resolution #89-183-6 of the Board of Public Works Appropriating and Condemning Real and Personal Property. Motion carried. Copy to be herein incorporated.

7. Approval of Irrevocable Letter of Credit received from Olladale, Inc. and Donavan Engineering, Inc. in connection with Bailey Heights in the amount of $90,938.00.

Denise Porter-Ross moved approval of Irrevocable Letter of Credit received from Olladale, Inc. and Donavan Engineering, Inc. in connection with Bailey Heights in the amount of $90,938.00. Motion carried. Letter to be placed on file.

8. Approval of Secondary Subdivision Plat for Bailey Heights.

Denise moved approval of Secondary Subdivision Plat for Bailey Heights. Motion carried. Plat to be sent to the Planning Department.

9. **IMPROVEMENT RESOLUTION #6962-03,** Bluffton Road & Lower Huntington Road Intersection.

Denise Porter-Ross moved approval of IMPROVEMENT RESOLUTION #6962-03, Bluffton Road & Lower Huntington Road Intersection. Motion carried. Copy to be herein incorporated.

10. Approval of Agreement between the City of Fort Wayne and American Electric Power to provide professional services for the construction of improvements to Pontiac Street & Wayne Trace Intersections. Proposed improvements include relocation of distribution power lines to accommodate landscape design prepared by Community & Economic Development Division. Compensation for services performed shall be a not-to-exceed sum of $10,753.00. City Engineering recommends approval.

Denise Porter Ross moved approval of Agreement between the City of Fort Wayne and American Electric Power to provide professional services for the construction of improvements to Pontiac Street & Wayne Trace Intersections. Motion carried. Copy to be placed on file in vault.

11. Approval of Agreement between the City of Fort Wayne and Misner & Associates, Inc., to provide professional services for appraisal services for Ardmore Avenue Extended. This is a Federal Highway Project. Proposed improvements include appraising of 19 parcels. Compensation for services performed shall be a not-to-exceed sum of $28,400.00. City Engineering recommends approval.

David Ross, City Engineer, said that this is an on-going project and that it is 80% Federally Funded. Mr. Ross said that this project will be bid at the end of this year.

Denise Porter-Ross moved approval of Agreement between the City of Fort Wayne and Misner & Associates, Inc., to provide professional services for appraisal services for Ardmore Avenue Extended. This is a Federal Highway Project. Proposed improvements include appraising of 19 parcels. Motion carried. Copy to be placed on file in vault.

12. Approval of Agreement between the City of Fort Wayne and Griffin Real Estate Services, Inc. to provide Review Appraisals prepared by Misner & Assoc. Inc. for Ardmore Avenue Extended. Compensation for services performed shall be a not-to-exceed amount of $12,352.50. City Engineering recommends approval.

David Ross, City Engineer, said the Review Appraisal is in lieu of a second appraisal.

Denise Porter-Ross moved approval of Agreement between the City of Fort Wayne and Griffin Real Estate Services, Inc. to provide Review Appraisals prepared by Misner & Assoc. Inc. for Ardmore Avenue Extended. Motion carried. Copy to be placed on file in vault.

13. Approval of Assessment Roll for Improvement #6887-02, Miscellaneous Construction Pkg. 2-A-02. Property owners have waived their right for a public hearing.

Denise Porter-Ross moved approval of Assessment Roll for Improvement #6887-02, Miscellaneous Construction Pkg. 2-A-02. Property owners have waived their right for a public hearing. Motion carried. Assessment notices to be sent.

14. Approval of Construction Contract #6937-03 between Newell Construction, Inc. and the City of Fort Wayne for Arlington Park Phase II in the amount of $94,524.00.

Denise Porter-Ross moved approval of Construction Contract #6937-03 between Newell Construction, Inc. and the City of Fort Wayne for Arlington Park Phase II in the amount of $94,524.00. Motion carried. Notice to proceed to be sent.

15. Approval of recommendation received from Transportation Engineering Services to accept the work performed by Key Concrete, Inc. on Improvement Resolution #6895-02, Public Sidewalk Curb Ramp Intersections 2002 – Pkg. 5.

Denise Porter-Ross moved approval of recommendation received from Transportation Engineering Services to accept the work performed by Key Concrete, Inc. on Improvement Resolution #6895-02, Public Sidewalk Curb Ramp Intersections 2002 – Pkg. 5.

16. **IMPROVEMENT RESOLUTION #656-2002** for Rudisill Subbasin – West End Partial Sewer Separation North.

Pat Callahan, Planning & Design Services, said that this Resolution orders the construction of approximately 11,000 L.F. of 12"- 60" storm sewer and appurtenances and shall be along Oakdale Ave. from Broadway Ave. to Fairfield Ave., along Beaver Ave. from Illsley Ave. to Packard Ave., with Branches on Packard Ave., Kinsmoor Ave., Nuttman Ave., Dayton Ave., and Indiana Ave.

Denise Porter-Ross moved approval of IMPROVEMENT RESOLUTION #656-2002 for Rudisill Subbasin – West End Partial Sewer Separation North. Motion carried. Copy to be herein incorporated.

17. Approval of Construction Contract #87-43-15 (6) between Dreier & Maller Inc. and the City of Fort Wayne for Sewer Inspection and Televising in the amount of $82,180.40.

Denise Porter-Ross moved approval of Construction Contract #87-43-15 (6) between Dreier & Maller Inc. and the City of Fort Wayne for Sewer Inspection and Televising in the amount of $82,180.40. Motion carried. Notice to proceed to be sent.

18. Approval of request received from Debra Ann Byrd on behalf of Dolores Hernandez, 2820 Sherborne requesting that the penalties be waived on her assessment for Improvement Resolution #6845-02, Sherborne Blvd. Phase II.

Denise Porter-Ross moved to table request received from Debra Ann Byrd on behalf of Dolores Hernandez, 2820 Sherborne requesting that the penalties be waived on her assessment for Improvement Resolution #6845-02, Sherborne Blvd. Phase II until more information is received. Motion carried. Request tabled.

19. Approval of Water Contract #2003-W-07 between Mill Ridge Development Corp. and the Fort Wayne Water Utility to construct water main systems to serve Springfield Section IV. This project is located inside the City (PRIVATE/UTILITY CAPITAL).

Jack Suter, Development Services, said that this water main would serve 22 lots and would provide some internal looping to the Inwood Addition.

Denise Porter-Ross moved approval of Water Contract #2003-W-07 between Mill Ridge Development Corp. and the Fort Wayne Water Utility to construct water main systems to serve Springfield Section IV. Motion carried. Water main systems to be constructed.

20. Approval of Sewer Contract 2003-S-13 between Equity Land Corp. and the Fort Wayne Water Pollution Control Utility to construct a local sanitary sewer system to serve Stratford Forest Section I. This project is outside the City. This contract contains provisions for Waiver of Remonstrance against annexation. This project is in a green zone (PRIVATELY FUNDED).

Jack Suter, Development Services, stated that this development is on the north side of Bass and west of Flaugh Road. It would serve 134 lots on 37 acres.

Denise Porter-Ross moved approval of Sewer Contract 2003-S-13 between Equity Land Corp. and the Fort Wayne Water Pollution Control Utility to construct a local sanitary sewer system to serve Stratford Forest Section I. Motion carried. Sanitary sewer to be constructed.

21. Approval of General Accounting Claims in the amount of $7,555,580.39.

Denise Porter-Ross moved approval of General Accounting Claims in the amount of $7,555,580.39. Motion carried. General Accounting Claims to be sent to the Department of Finance.

22. Old Business.

None.

23. New Business.

(I) Approval of Agreement between the City of Fort Wayne Board of Public Works and the Fort Wayne Parks & Recreation Department allocating $37,500.00 from 5th District CEDIT Funds for capital improvements to Miner Park Phase II (Playground equipment and ADA accessible wood fiber safety surfacing, concrete curb and sidewalk to contain wood fiber material, benches and concrete patio for the play area).

Denise Porter-Ross moved approval of Agreement between the City of Fort Wayne Board of Public Works and the Fort Wayne Parks & Recreation Department allocating $37,500.00 from 5th District CEDIT Funds for capital improvements to Miner Park Phase II. Motion carried. Notice to proceed to be sent.

(II) Approval of Settlement Agreement related to a jack and bore casing installation under I-69 for the Neuhaus Interceptor Extension – Phase II. Planning & Design Services recommend approval.

Paul Powers, Planning & Design, apprised the Board of the following: during the construction of I-69, the Neuhaus II Sanitary Sewer Interceptor was staked at the wrong elevation. The insurance Company was willing to pay for another bore, but they requested that a settlement agreement between the parties to be reached so there would not be any claims submitted. The City will accept the responsibility for the old casing and the City will maintain the whole sewer system when it is constructed.

Denise Porter-Ross moved approval of Settlement Agreement related to a jack and bore casing installation under I-69 for the Neuhaus Interceptor Extension – Phase II. Motion carried. Copy to be placed on file in vault.

Meeting adjourned at 9:45 a.m.

Robert P. Kennedy, Chairman

John Suarez, Member

Denise Porter-Ross, Member

ATTEST:

Carolyn S. Newport, Clerk

BOARD OF STORMWATER MANAGEMENT

JUNE 18, 2003

BOARD OF STORMWATER MANAGEMENT
ROOM 250—OMNI ROOM
MEETING HELD AT 9:45 A.M.

GREG MESZAROS, CHAIRMAN
JOHN SUAREZ, MEMBER
DENISE PORTER-ROSS, MEMBER

CAROLYN S. NEWPORT, CLERK

PRESENT: Robert Kennedy, Denise Porter-Ross, Carolyn Newport, BOPW: David Ross, City Engineer, Kristine Degabriele, Law Department; Mario Trevino, Transportation Engineering Services; Jack Suter, Development Services; George Cook & Denny Bruce, Traffic Engineering; Ken Nicolet, Customer Services, DOPW/Utilities; Mark Gensic,Ted Nitza, Paul Powers & Pat Callahan, Planning & Design; John Perlich, PIO; Charles Bailey & Carl Wilson, Contract Compliance. John Suarez, absent.

1. Approval of Board of Stormwater Management Minutes of June 11, 2003.

   Minutes tabled.

2. **AWARD:** Improvement Resolution #1558-03, ITT Schick Street Storm Sewer Improvement to Crosby Excavating in the amount of $151,240.15. Contract Compliance concurs with this award. **Denise Porter Ross moved Improvement Resolution #1558-03, IIT Schick Storm Sewer Improvement to Crosby Excavating in the amount of $151,240.15. Motion carried. Notice of award to be sent. Engineering Support Services to prepare contracts.**

3. Old Business:

   None.

4. New Business:

   None.

Meeting adjourned at 9:50 a.m.

Greg Meszaros, Chairman

John Suarez, Member

Denise Porter-Ross, Member

ATTEST: Carolyn S. Newport
Carolyn S. Newport, Clerk

BOARD OF STORMWATER MANAGEMENT
ROOM 250—OMNI ROOM
MEETING HELD AT 9:00 A.M.

GREG S. MESZAROS, CHAIRMAN
JOHN SUAREZ, MEMBER
DENISE PORTER-ROSS, MEMBER

CAROLYN S. NEWPORT, CLERK

PRESENT: All Members & Clerk; David Ross, City Engineer; Mario Trevino, Transportation Engineering Services; Kristine Degabriele, Associate City Attorney; Ken Nicolet, Customer Service, BOW/Utilities, Justin Bruegger, DOPW; Charles Bailey & Carl Wilson, Contract Compliance; Ron Sheppard & Bill Maxwell, Engineering Support Services; George Cook, Traffic Eng./Street Light Engineering; Al Lichtsinn, Street Light Engineering; John Perlich, PIO; Mark Gensic & Matthew Wirtz, Planning & Design; Jim Howard, Purchasing Director/Attorney; Mary Jane Slaton, Nancy Townsend & Jack Suter, Development Services; Robert Kennedy, Chairman, Board of Public Works.

1. Approval of Board of Stormwater Management Minutes of June 11, 2003 and June 18, 2003.
   Denise Porter-Ross moved approval of Board of Stormwater Management Minutes of June 11, 2003 and June 18, 2003. Motion carried.

2. **IMPROVEMENT RESOLUTION #1610-03,** Research Drive Drainage.

   Nancy Townsend, Development Services, stated that this Improvement Resolution is to make spot drainage improvements in an area with chronic reoccurring drainage problems and the Improvement is to be performed by an outside contractor at a lump sum cost of $29,675.00.
   John Suarez moved approval of Improvement Resolution #1610-03, Research Drive Drainage. Motion carried. Copy to be herein incorporated.

3. Approval of Construction Contract #1551-2003 between Board of Stormwater Management and Everett Drainage and Excavating for Vance-Reed Road Storm Drainage Improvement in the amount of $39,628.75.
   Denise Porter-Ross moved approval of Construction Contract #1551-2003 between Board of Stormwater Management and Everett Drainage and Excavating for Vance-Reed Road Storm Drainage Improvement in the amount of $39,628.75. Motion carried. Notice to proceed to be sent.

4. Approval of Storm Sewer Contract #2003-ST-05 between Olladale Development, LLC and the Fort Wayne Stormwater Utility to construct a local drainage system to serve Bailey Heights Section I.
   John Suarez moved approval of Storm Sewer Contract #2003-ST-05 between Olladale Development, LLC and the Fort Wayne Stormwater Utility to construct a local drainage system to serve Bailey Heights Section I. Motion carried. Storm Drainage system to be construction.

5. Old Business.

   None.

6. New Business.

None.

Meeting adjourned at 9:50 a.m.

Greg Meszaros, Chairman

John Suarez, Member

Denise Porter-Ross, Member

ATTEST: Carolyn S. Newport
Carolyn S. Newport, Clerk

BOARD OF PUBLIC WORKS
ROOM 250—OMNI ROOM
MEETING HELD AT 9:00 A.M.

ROBERT P. KENNEDY, CHAIRMAN
JOHN SUAREZ, MEMBER
DENISE PORTER-ROSS, MEMBER

CAROLYN S. NEWPORT, CLERK

PRESENT: All Members & Clerk; David Ross, City Engineer; Mario Trevino, Transportation Engineering Services; Kristine Degabriele, Associate City Attorney; Ken Nicolet, Customer Service, BOW/Utilities, Justin Bruegger, DOPW; Charles Bailey & Carl Wilson, Contract Compliance; Ron Sheppard & Bill Maxwell, Engineering Support Services; George Cook, Traffic Eng./Street Light Engineering;Al Lichtsinn, Street Light Engineering; John Perlich, PIO; Mark Gensic & Matthew Wirtz, Planning & Design; Jim Howard, Purchasing Director/Attorney; Mary Jane Slaton & Jack Suter, Development Services; Greg Meszaros, Director, BOW/Utilities.

1. Approval of Board of Public Works Minutes of June 18, 2003.
Denise Porter –Ross moved approval of Board of Public Works Minutes of June 18, 2003.

2. **AWARD:** Improvement Resolution #6957-03, Abbott Street: Paulding Road to South Terminus to Benchmark Const., LLC in the amount of $105,533.00.
John Suarez moved approval of award for Improvement Resolution #6957-03, Abbott Street: Paulding Road to South Terminus to Benchmark Const., LLC in the amount of $105,533.00. Motion carried. Notice of award to be sent. Transportation Engineering Services to prepare contracts.

3. **IMPROVEMENT RESOLUTION #6951-03,** Woodhurst Addition.
Denise Porter-Ross moved approval of IMPROVEMENT RESOLUTION #6951-03, Woodhurst Addition. Motion carried. Copy to be herein incorporated. Bids to be received on 7/9/03.

Mario Trevino, Transportation Eng. Services, said that is for reconstructing the existing pavement as needed on Fairfax from Old Mill Road to Indiana Avenue, Old Mill Road from Fairfax Avenue to a pt. 50 lf north of Century Court, and by reconstructing the existing pavement and installing a new storm sewer on Century Court from Old Mill Road west.

4. **IMPROVEMENT RESOLUTION #6964-03,** Hoagland Avenue: Belmont to Paulding Road.

Mario Trevino, Transportation Eng. Services, said this is for reconstructing the existing pavement with new bituminous pavement, constructing concrete curbing and curb ramps on both sides of the street, new sidewalk, yardwalks, and drive approaches on east side of the street, new sidewalk, yardwalks, and drive approaches on east side of the street, and construction of new water main and storm sewer rehabilitation.
John Suarez moved approval of IMPROVEMENT RESOLUTION #6964-03, Hoagland Avenue: Belmont to Paulding Road. Motion carried. Copy to be herein incorporated. Bids to be received on 7/16/03.

5. **IMPROVEMENT RESOLUTION #290-03,** Miscellaneous Street Lighting Pkg. 2003A.

Al Lichtsinn, Street Light Eng., stated that this project will have ornamental street lights installed at intersections per annexation commitment and in a requested cul-de-sac.
Denise Porter-Ross moved approval of IMPROVEMENT RESOLUTION #290-03, Miscellaneous Street Lighting Pkg. 2003A. Motion carried. Copy to be herein incorporated.

6. **IMPROVEMENT RESOLUTION #289-03,** Crescent Avenue (Coliseum Blvd. to Hobson Rd.).

Al Lichtsinn, Street Light Engineering, stated that this project involves installing lights on both sides of Crescent Avenue.
John Suarez moved approval of IMPROVEMENT RESOLUTION #289-03, Crescent Avenue (Coliseum Blvd. to Hobson Rd.). Motion carried. Copy to be herein incorporated.

7. Approval of Agreement between the City of Fort Wayne Board of Public Works and Village Woods Association allocating $879.00 from 6th District CEDIT Funds for the installation of additional ground lighting at the Ashcroft Entrance of Village Woods Association.
Denise Porter-Ross moved approval of Agreement between the City of Fort Wayne Board of Public Works and Village Woods Association allocating $879.00 from 6th District CEDIT Funds for the installation of additional ground lighting at the Ashcroft Entrance of Village Woods Association. Motion carried. Copy to be placed on file in vault.

8. Approval of Supplemental Agreement No. 3 between the City of Fort Wayne and Bonar Group to provide professional services for the Preliminary Design Engineering of Improvements to St. Joseph Center Road. Proposed improvements: changes to original design; i.e. new ADA standards, signal interconnect, signal detection, public street approaches. Compensation for services performed shall be $13,200.00 (Federal Share $10,560.00 & City Share $2,640.00). City Engineering recommends approval.

David Ross, City Engineer, stated that the design was changed due to public hearings which resulted in this Supplement Agreement No. 3.
John Suarez moved approval of Supplemental Agreement No. 3 between the City of Fort Wayne and Bonar Group to provide professional services for the Preliminary Design Engineering of Improvements to St. Joseph Center Road. Motion carried. Copy to be placed on file in vault.

9. Approval of Special Street Permit granting permission to Mill Ridge Development Corporation to construct Harmony Lane and Sandyridge Place in Springfield Section IV.

Mario Trevino, Transportation Engineering Services, stated that the streets would be constructed in compliance with City Standards.
Denise Porter-Ross moved approval of Special Street Permit granting permission to Mill Ridge Development Corporation to construct Harmony Lane and Sandyridge Place in Springfield Section IV. Motion carried. Streets to be constructed.

10. Approval of Change Order #1 & FINAL received from Garcia Concrete for Improvement Resolution #6916-03, Hoevelwood Civic Neighborhood – 2003 decreasing the contract price by $676.65. The original contract price was $36,548.00. The new contract price including this change order is $35,871.35.

Mario Trevino, Transportation Eng. Services, said this change order reflects final quantities.

John Suarez moved approval of Change Order #1 & FINAL received from Garcia Concrete for Improvement Resolution #6916-03, Hoevelwood Civic Neighborhood – 2003 decreasing the contract price by $676.65. Motion carried. Contract price to be decreased.

11. Approval of Change Order #1 & FINAL received from Hipskind Concrete Corp., for Improvement Resolution #6922-03, Madison Street Curb Improvements increasing the contract price by $135.39. The original contract price was $40,949.50. The new contract price including this change order is $41,084.89.

Mario Trevino, Transportation Eng. Services, said this change order reflects final quantities.
Denise Porter-Ross moved approval of Change Order #1 & FINAL received from Hipskind Concrete Corp., for Improvement Resolution #6922-03, Madison Street Curb Improvements increasing the contract price by $135.39. Motion carried. Contract price to be increased.

12. Approval of Change Order #1 and FINAL received from Newell Construction Co., Inc., for Improvement Resolution #6931-03, East Central Neighborhood Improvements increasing the contract price by $6,010.79. The original contract price was $42,820.00. The new contract price including this change order is $48,830.79.

Mario Trevino, Transportation Engineering Services, said that the grade of sidewalk needed to be raised and a residential drive approach and alley approach was added.
John Suarez moved approval of Change Order #1 and FINAL received from Newell Construction Co., Inc., for Improvement Resolution #6931-03, East Central Neighborhood Improvements increasing the contract price by $6,010.79. Motion carried. Contract price to be increased.

13. Approval of Change Order #1 and FINAL received from Key Concrete, Inc., for Improvement Resolution #6942-03, Mount Vernon Park Drive decreasing the contract price by $1,566.44. The original contract price was $59,905.00. The new contract price including this change order is $58,338.56.

Mario Trevino, Transportation Engineering Services, apprised the Board that more sidewalks were added per Glynn Hines request increasing the contract price but most of the decreases were due to less concrete pavement needed for residential drives and total bituminous surface was not used.
Denise Porter-Ross moved approval of Change Order #1 and FINAL received from Key Concrete, Inc., for Improvement Resolution #6942-03, Mount Vernon Park Drive decreasing the contract price by $1,566.44.

14. Approval of Construction Contract #6935-03 between Key Concrete, Inc. and the City of Fort Wayne for Lakeshores Park Community in the amount of $30,195.00.
John Suarez moved approval of Construction Contract #6935-03 between Key Concrete, Inc. and the City of Fort Wayne for Lakeshores Park Community in the amount of $30,195.00. Motion carried. Notice to proceed to be sent.

15. Approval of Construction Contract #6939-03 between Newell Construction, Inc., and the City of Fort Wayne for Misc. Const. Pkg. 2-B-03 in the amount of $65,185.50.
Denise Porter-Ross moved approval of Construction Contract #6939-03 between Newell Construction, Inc., and the City of Fort Wayne for Misc. Const. Pkg. 2-B-03 in the amount of $65,185.50. Motion carried. Notice to proceed to be sent.

16. Approval of Construction Contract #6941-03 between Brooks Const. Co., Inc., and the City of Fort Wayne for Alley Reconstruction – Nussbaum in the amount of $70,603.50.
John Suarez moved approval of Construction Contract #6941-03 between Brooks Const. Co., Inc., and the City of Fort Wayne for Alley Reconstruction – Nussbaum in the amount of $70,603.50. Motion carried. Notice to proceed to be sent.

17. Approval of Construction Contract #6945-03 between Key Concrete Inc., and the City of Fort Wayne for Tower Heights in the amount of $51,515.00.
Denise Porter-Ross moved approval of Construction Contract #6945-03 between Key Concrete Inc., and the City of Fort Wayne for Tower Heights in the amount of $51,515.00. Motion carried. Notice to proceed to be sent.

18. Approval of Construction Contract #6948-03 between Key Concrete Inc., and the City of Fort Wayne for Wenonah Lane in the amount of $33,712.00.
John Suarez moved approval of Construction Contract #6948-03 between Key Concrete Inc., and the City of Fort Wayne for Wenonah Lane in the amount of $33,712.00. Motion carried. Notice to proceed to be sent.

19. Approval of Construction Contract #6953-03 between Primco, Inc., and the City of Fort Wayne for Pettit-Rudisill Neighborhood in the amount of $35,427.29.
Denise Porter-Ross moved approval of Construction Contract #6953-03 between Primco, Inc., and the City of Fort Wayne for Pettit-Rudisill Neighborhood in the amount of $35,427.29. Motion carried. Notice to proceed to be sent.

20. Approval of Construction Contract #6954-03 between Key Concrete, Inc., and the City of Fort Wayne for Misc. Const. Pkg. 1-A-03 in the amount of $28,720.00.
John Suarez moved approval of Construction Contract #6954-03 between Key Concrete, Inc., and the City of Fort Wayne for Misc. Const. Pkg. 1-A-03 in the amount of $28,720.00. Motion carried. Notice to proceed to be sent.

21. Approval of Release of Escrow received from Wayne Asphalt & Const. Co., Inc. for Improvement Resolution #6845-02, Sherborne Blvd. Ph. II Neighborhood Improvement in the amount of $29,624.34. The Escrow Agent is Fifth Third Bank.
Denise Porter-Ross moved approval of Release of Escrow received from Wayne Asphalt & Const. Co., Inc. for Improvement Resolution #6845-02, Sherborne Blvd. Ph. II Neighborhood Improvement in the amount of $29,624.34. Motion carried. Release of Escrow to be sent to the Escrow Agent.

22. **IMPROVEMENT RESOLUTION #1607-03,** Finished Water Capacity Development for the Vacated Spy Run Mobile Home Park Site Work.

Matthew Wirtz, Planning & Design Services said that the Resolution includes the removal of 20 concrete mobile trailer concrete slabs, numerous concrete patio slaps, concrete walks, utility service stamps, and the grading and seeding of all disturbed areas.

Matthew Wirtz was congratulated on receiving his P.E. Certification.
John Suarez moved approval of IMPROVEMENT RESOLUTION #1607-03, Finished Water Capacity Development for the Vacated Spy Run Mobile Home Park Site Work. Motion carried. Copy to be herein incorporated. Bids to be received on 7/9/03.

23. Approval of Amendment #1 to Professional Services Agreement between the City of Fort Wayne and Bonar Groups for the design of the Lexington Avenue Area Partial Sewer Separation dated April 2, 2003. The cost of the Amendment is a lump sum of $162,300.00. The revised contract with this Amendment is $193.000.00. Planning & Design Services recommend approval.

Mark Gensic, Planning & Design apprised the Board of the following: the purpose of this project is to remove storm water from the combined sewer system by installing a new separate storm sewer to serve a natural drainage basin with boundaries generally defined by Rudisill Blvd., on the north, Fairfield Avenue on the east, Maxine Drive on the south, and Old Mill Road on the west. The new storm sewer will be sized to provide the entire basin with protection from 10 year 2 hour storm. However, the new storm sewer will only be extended to those inlets or catch basins that are connected to combined sewers and are easily reconnected to the new storm system.

Denise Porter-Ross moved approval of Amendment #1 to Professional Services Agreement between the City of Fort Wayne and Bonar Groups for the design of the Lexington Avenue Area Partial Sewer Separation dated April 2, 2003. Motion carried. Copy to be placed on file in vault.

24. Approval of Construction Contract #679-02 between Reynolds Inliner and the City of Fort Wayne for Northeast Area Cured In Place Sewer Rehabilitation in the amount of $376,429.75.

John Suarez moved approval of Construction Contract #679-02 between Reynolds Inliner and the City of Fort Wayne for Northeast Area Cured In Place Sewer Rehabilitation in the amount of $376,429.75. Motion carried. Contract to be sent to City Council.

25. Approval of Professional Services Agreement between the City of Fort Wayne and Hurst Technical Services, Inc., for Calibration of Flow Meters and Pumps for sewer contract customers.

Mary Jane Slaton, Development Services, stated that services shall be provided on an on-call basis with calibration tasks to be completed within 5 work days after services are requested in writing by the City. Ms. Slaton said that the City will be reimbursed by the five sewer contract customers for which the services will be provided.
Denise Porter-Ross moved approval of Professional Services Agreement between the City of Fort Wayne and Hurst Technical Services, Inc., for Calibration of Flow Meters and Pumps for sewer contract customers. Motion carried. Copy to be placed on file in vault.

26. Approval of Water Contract #2003-W-02 between Equity Land Corp., and the Fort Wayne Water Utility to construct water main systems to serve Stratford Forest Section I and Offsite. This project is located outside the City (PRIVATELY FUNDED/UTLITY CAPITAL).

Jack Suter, Development Services, said that this project is near the intersection of Bass Road and Hadley Road and the development contains 134 lots.
John Suarez moved approval of Water Contract #2003-W-2003 between Equity Land Corp., and the Fort Wayne Water Utility to construct water main systems to serve Stratford Forest Section I and Offsite. Motion carried. Water main systems to be constructed.

27. Approval of Water Contract #2003-W-09 between Chestnut Hills and the Fort Wayne Water Utility to construct a water main system to serve Kensington Downs East-Offsite. This project is located inside the City of Fort Wayne (PRIVATELY FUNDED/UTILITY CAPITAL).
Denise Porter-Ross moved approval of Water Contract #2003-W-09 between Chestnut Hills and the Fort Wayne Water Utility to construct a water main system to serve Kensington Downs East-Offsite. Motion carried. Water main system to be constructed.

28. Approval of Release of Sewer Easement 970037358.
John Suarez moved approval of Release of Sewer Easement 970037358. Motion carried. Copy to be placed on file in vault.

29. Approval of Release of Sewer Easement 970037359.
Denise Porter-Ross moved approval of Release of Sewer Easement 970037358. Motion carried. Copy to be placed on file in vault.

30. Approval of recommendation received from Engineering Support Services to accept the work performed by Kurtz Excavating on Sewer Contract #2002-S-40, Union Chapel Road – Lift Station West to Diebold Road.
Denise Porter-Ross moved approval of recommendation received from Engineering Support Services to accept the work performed by Kurtz Excavating on Sewer Contract #2002-S-40, Union Chapel Road – Lift Station West to Diebold Road. Motion carried. Acceptance letter to be sent.

31. Approval of recommendation received from Engineering Support Services to accept the work performed by Miller Pipeline on Improvement Resolution #578-98, Pond No. 1 and 2 Interconnect Pipe Repair.
John Suarez moved approval of recommendation received from Engineering Support Services to accept the work performed by Miller Pipeline on Improvement Resolution #578-98, Pond No. 1 and 2 Interconnect Pipe Repair. Motion carried. Acceptance letter to be sent.

32. Approval of Full Release of Escrow received from Miller Pipeline Corp., for Improvement Resolution #578-98, Pond No. 1 and 2 Interconnect Pipe Repair. National City Bank is the Escrow Agent.
Denise Porter-Ross moved approval of Full Release of Escrow received from Miller Pipeline Corp., for Improvement Resolution #578-98. Motion carried. Full Release of Escrow to be sent to the Escrow Agent.

33. Approval of request received from Debra Ann Byrd on behalf of Delores Hernandez, 2820 Sherborne Blvd., requesting that the penalties be waived on her assessment for Improvement Resolution 6845-02, Sherborne Blvd., Phase II. This was tabled from last week.

Marj Enders, Barrett Law Accountant, apprised the Board of the following: Ms. Hernandez signed the petition. Her maximum estimate was higher that her actual assessment. She was notified well in advance of her maximum estimate and raised no objections until she received the invoice for her assessment. Many property owners who are assessed are on fixed incomes. She has the option to pay her assessment over 10 years, with her first installment of $192.40 being due in November of 2003, and the rest of the installments being less each year. Her Council Representative, Tom Smith, has decided not to provide assistance. Ms. Enders stated that it would be unfair to the other property owners to waive her delinquent interest.

Robert Kennedy suggested that this agenda item be tabled until the options could be explained to Delores Hernandez.
Denise Porter-Ross moved to table request received from Debra Ann Byrd on behalf of Delores Hernandez, 2820 Sherborne Blvd., requesting that the penalties be waived on her assessment for Improvement Resolution 6845-02, Sherborne Blvd., Phase II. Motion carried. Request tabled.

34. Approval of Barrett Law Claims in the amount of $4,241.55.
John Suarez moved approval of Barrett Law Claims in the amount of $4,241.55. Motion carried. Barrett Law Claims to be sent to the Department of Finance.

35. Approval of General Accounting Claims in the amount of $4,582,946.51.
Denise Porter-Ross moved approval of General Accounting Claims in the amount of $4,582,946.51. Motion carried. General Accounting Claims to be sent to the Department of Finance.

36. Old Business.

None.

37. New Business:

None.

Meeting adjourned at 9:40 a.m.

Robert P. Kennedy, Chairman

John Suarez, Member

Denise Porter-Ross, Member

ATTEST:
Carolyn S. Newport, Clerk

JULY 2, 2003

BOARD OF STORMWATER MANAGEMENT
ROOM 250—OMNI ROOM
MEETING HELD AT 9:20 A.M.

GREG MESZAROS, CHAIRMAN
JOHN SUAREZ, MEMBER
DENISE PORTER-ROSS, MEMBER

CAROLYN S. NEWPORT, CLERK

Present: All Members & Clerk, Robert P. Kennedy, Director, Board of Public Works; Jack Suter & Mary Jane Slaton, Development Services; Ron Sheppard & Bill Maxwell, Engineering Development Services; Kristine Degabriele, BOW Attorney; Jim Howard, Purchasing Director; Mark Gensic & Pat Callahan, Planning & Design; Charles Bailey & Carl Wilson, Contract Compliance; Ken Nicolet, Customer Services, BOW/Utilities.

1. Approval of Board of Stormwater Management Minutes of June 25, 2003.

   Denise Porter-Ross moved approval of Board of Stormwater Management Minutes of June 25, 2003. Motion carried. Minutes approved.

2. Approval of Change Order #3 and FINAL received from Crosby Excavating for Improvement Resolution #665-02, North Dr./Reed Road Storm Sewer decreasing the contract amount by $27,781.00. The original contract price was $346,223.00. The new contract price including this change order is $334,166.40.

   Ron Sheppard, Engineering Support Services, stated that the construction cost was decreased be reverting from base bid to alternate bid.

   John Suarez moved approval of Change Order #3 and FINAL received from Crosby Excavating for Improvement Resolution #665-02, North Dr./Reed Road Storm Sewer decreasing the contract amount by $27,781.00. Motion carried. Contract price to be decreased.

3. Old Business.

   None.

4. New Business.

   Approval of Contract #1558-2003 between Crosby Excavating and the City of Fort Wayne for IIT-Schick Street Storm Sewer Improvement in the amount of $151,240.15.

   Denise Porter-Ross moved approval of Contract #1558-2003 between Crosby Excavating and the City of Fort Wayne for IIT-Schick Street Storm Sewer Improvement in the amount of $151,240.15. Motion carried. Contract to be sent to City Council.

Meeting adjourned at 9:25 a.m.

Greg Meszaros, Chairman

John Suarez, Member

Denise Porter-Ross, Member

ATTEST: Justin Brugger
Carolyn S. Newport, Clerk
Justin Brugger

BOARD OF PUBLIC WORKS
ROOM 250—OMNI ROOM
MEETING HELD AT 9:00 A.M.

ROBERT P. KENNEDY, CHAIRMAN
JOHN SUAREZ, MEMBER
DENISE PORTER-ROSS, MEMBER

CAROLYN S. NEWPORT, CLERK

Present: All Members & Clerk, Greg Meszaros, Director, Public Works/Utilities; Jack Suter & Mary Jane Slaton, Development Services; Ron Sheppard & Bill Maxwell, Engineering Development Services; Kristine Degabriele, BOW Attorney; Jim Howard, Purchasing Director; Mark Gensic & Pat Callahan, Planning & Design; Charles Bailey & Carl Wilson, Contract Compliance; Ken Nicolet, Customer Services, BOW/Utilities.

1. **RECEIVE BIDS:** Resolution#1514-Camp Scott Wetlands Phase III-B-Wetlands Development.

BIDDERS	BASE BID
All-Star Construction	$2,471,265.00
Fleming Excavating, Inc.	$1,325,767.36
Geiger Excavating, Inc.	$1,254,511.00
Phend & Brown, Inc.	**$1,177,365.60**
Scheidleman Excavating	$1,466,947.58
Engineers Estimate	**$1,619,315.00**

Engineering Support Services to tabulate and report.

2. **RECEIVE BIDS:** Resolution#6958-03: Public Sidewalk Curb Ramps 2003-Pkg. 1.

BIDDERS	BASE BID
Hipskind Concrete	**$164,294.50**
Key Concrete, Inc.	$183,139.00
Engineers Estimate	**$160,909.00**

Transportation Engineering Services to tabulate and report.

3. Approval of Board of Public Works Minutes of June 25, 2003.
Denise Porter-Ross moved approval of Board of Public Works Minutes of June 25, 2003. Motion carried. Minutes approved.

4. Approval of Encroachment License Agreement between the City of Fort Wayne and Jean L. Markey granting permission to place a sign to encroach into the right-of-way at 418 S. Calhoun Street. The Encroachment License Agreement Committee recommends approval.

John Suarez moved approval of Encroachment License Agreement between the City of Fort Wayne and Jean L. Markey grating permission to place a sign to encroach into the right-of-way at 418 S. Calhoun Street. Motion carried. Sign to be constructed.

5. Approval of Encroachment License Agreement between the City of Fort Wayne and the Oakdale Neighborhood Association granting permission to place upon the right of way two park benches in the park strip located on the 300 block of Arcadia Court.
Denise Porter-Ross moved approval of Encroachment License Agreement between the City of Fort Wayne and the Oakdale Neighborhood Association grating permission to place upon the right of way two park benches in the strip located on the 300 block of Arcadia Court. Motion carried. Benches to be placed.

6. Approval of Agreement between the City of Fort Wayne Board of Public Works and Project Renew allocating $500.00 from 5th District CEDIT Funds and $2,500.00 from 6th District CEDIT Funds for the Dudley Street Neighborhood Initiative.
Denise Porter-Ross moved approval of Agreement between the City of Fort Wayne Board of Public Works and Project Renew allocating $500.00 from 5th District CEDIT Funds and $2,500.00 from 6th District CEDIT Funds for the Dudley Street Neighborhood Association Initiative. Motion carried. Copy to be placed on file in vault.

7. Approval of recommendation received from Transportation Engineering Services to accept the work performed by Wayne Asphalt & Construction Co., Inc. on Improvement Resolution #6845-02, Sherborne Blvd., Phase II: Hastings to Vance as an integral part of the City's transportation system.
Denise Porter-Ross moved approval of recommendation received from Transportation Engineering Services to accept the work performed by Wayne Asphalt & Construction Co., Inc. on Improvement Resolution #6845-02, Sherborne Blvd., Phase II: Hastings to Vance as an integral part of the City's transportation system. Motion carried. Acceptance letter to be sent.

8. Approval of recommendation received from Transportation Engineering Services to accept the work performed by Newell Construction Company, Inc., on Improvement Resolution #6931-03, East Central Neighborhood Improvements as an integral part of the City's transportation system.
Denise Porter-Ross moved approval of recommendation received from Transportation Engineering Services to accept the work performed by Newell Construction Company, Inc., on Improvement Resolution #6931-03, East Central Neighborhood Improvements as an integral part of the City's transportation system. Motion carried. Acceptance letter to be sent.

9. Approval of Professional Services Agreement between the City of Fort Wayne and Russell Engineering Associates, Inc. for South Walton Avenue Acre Addition – Water Main Replacement. The not-to-exceed amount for this Contract is $36,000.00. Planning & Design Services recommend approval.

Matthew Wirtz, Planning & Design Services, said that this project is for the replacement of approximately 6,640 lf of water main and all associated appurtenances in the South Walton Avenue Acre Addition. The project area is as follows:

Euclid Avenue: McKinnie to Oxford
Central Drive & Plaza Drive: McKinnie to Rudisill
Rudisill Blvd.: South Anthony to Abbott

Mr. Wirtz said that this project is proposed to be bid in cooperation with the Anthony Wayne Addition water main replacement work, which will be designed by others.
John Suarez moved approval of Professional Services Agreement between the City of Fort Wayne and Russell Engineering Associates, Inc. for South Walton Avenue Acre Addition-Water Main Replacement. Motion carried. Copy to be placed on file in vault.

10. Approval of Professional Services Agreement between the City of Fort Wayne and Donohue & Associates for the Three Rivers Water Filtration Plant - Northeast Tank Telemetry. The not-to-exceed fee for this Contract is $27,500.00.

Mark Gensic, Planning & Design, said that since the time the Northeast Tank was constructed, the Three Rivers Water Filtration Plant – has been moving away from Square programmable logic contract equipment and FIX32-based HMI toward Automation Direct PLC's and iFIX HMI. The Square D/FIX32 system is gradually being phased out, so the Northeast Tank would be added to the Automation Direct/iFIX system.

Denise Porter-Ross moved approval of Professional Services Agreement between the City of Fort Wayne and Donahue & Associates for the Three Rivers Water Filtration Plant-Northeast Tank Telemetry. The not-to-exceed fee for this contract is $27,500.00.

11. Approval of Professional Services Agreement between the City of Fort Wayne and Dodzik Engineering Inc., for the design of Anthony Wayne Addition – Water Main Replacement. The not-to-exceed amount for this contract is $29,570.00. Planning & Design Services recommend approval.

Matt Wirtz, Planning & Design, said that this project is for the replacement of approximately 7,070 LF of water main in the neighborhood of Anthony Wayne Addition. The project area is as follows:

Abbott Street: McKinnie to Oxford
Plaza Drive: West Colonial to McKinnie
Queen Street: Standish to McKinnie
Werling Drive & Standish Drive: Plaza to Capitol

John Suarez moved approval of Professional Services Agreement between the City of Fort Wayne and Dodzik Engineering Inc., for the design of Anthony Wayne Addition-Water Main Replacement. Motion carried. Contract to be placed on file in vault

12. Approval of Construction Contract #87-43-15 (7) between Reynolds Inliner, LLC and the City of Fort Wayne for Sewer Inspection and Televising in the amount of $217,514.40.

Denise Porter-Ross moved approval of Construction Contract #87-43-15(7) between Reynolds Inliner, LLC and the City of Fort Wayne for Sewer Inspection and Televising in the amount of $217,514.40. Motion carried. Contract to be sent to City Council.

13. Approval of Construction Contract #1571-2003 between Indiana Construction and the City of Fort Wayne for Secondary Clarifiers' Drive Units and Skimmer Replacement in the amount of $104,000.00.

John Suarez moved approval of Construction Contract #1571-03 between Indiana Construction and the City of Fort Wayne for Secondary Clarifiers' Drive Units and Skimmer Replacement in the amount of $104,000.00. Motion carried. Contract to be sent to City Council.

14. Approval of Construction Contract #1537-2003 between Strebig Construction and the City of Fort Wayne for Lime Storage Building Addition at the Biosolids Facility in the amount of $215,378.00.

Denise Porter-Ross moved approval of Construction Contract #1537-03 between Strebig Construction and the City of Fort Wayne for Lime Storage Building Addition at the Biosolids Facility in the amount of $215,978.00. Motion carried. Contract to be sent to City Council.

15. Approval of Escrow Agreement between the City of Fort Wayne and Reynolds Inliner for Improvement Resolution #679-02, Northeast Area Cured In Place Sewer Rehabilitation. The Escrow Agent is Fifth Third Bank.

John Suarez moved approval of Escrow Agreement between the City of Fort Wayne and Reynolds Inliner for Improvement Resolution #679-02, Northeast Area Cured in Place Sewer Rehabilitation. Motion carried. Escrow Agreement to be sent to the Escrow Agent.

16. Approval of Escrow Agreement between the City of Fort Wayne and Miller Pipeline Corporation for Improvement Resolution #1530-03, Waynedale Water Main Replacement. The Escrow Agent is National City Bank.
Denise Porter-Ross moved approval of Escrow Agreement between the City of Fort Wayne and Miller Pipeline Corporation for Improvement Resolution #1530-03, Waynedale Water Main Replacement. Motion carried. Escrow Agreement to be sent to the Escrow Agent.

17. Approval of Escrow Agreement between the City of Fort Wayne and Reynolds, Inc. LLC for Contract 87-43-15 (7) Sewer Inspection & Cleaning. The Escrow Agent is Fifth Third Bank, IN.
John Suarez moved approval of Escrow Agreement between the City of Fort Wayne and Reynolds, Inc. LLC for Contract 87-43-15(7) Sewer Inspection and Cleaning. Escrow Agreement to be sent to the Escrow Agent.

18. **RESOLUTION** of the Board of Public Works of the City of Fort Wayne, Indiana Abandoning a Portion of the City's Water Distribution System and Declaring it to be Private.

Mary Jane Slaton, Development Services, said that this vacation is between Main Street and Walter Street and the City is transferring ownership to ITT.
John Suarez moved Resolution of the Board of Public Works of the City of Fort Wayne, Indiana Abandoning a Portion of the City's Water Distribution System and Declaring it to be Private. Motion carried. Copy to be herein incorporated.

19. **RESOLUTION** of the Board of Public Works of the City of Fort Wayne, Indiana Clarifying the Requirements of the Board's Policy on Water Service Disconnections – Building Demolitions as it Relates to Non-Permanent Disconnections.

Mary Jane Slaton, Development Services, stated that this Resolution makes is less expensive for Non-Permanent Disconnections to have to retap into the City's water distribution system.
John Suarez moved Resolution of the Board of Public Works of the City of Fort Wayne, Indiana Clarifying the Requirements of the Board's Policy on Water Service Disconnections-Building Demolitions as it Relates to Non-Permanent Disconnections. Motion carried. Copy to be herein incorporated.

20. Approval of Water Main Replacement Contract #2003-W-08 between Indiana Air National Guard and the Fort Wayne Water Utility to construct water main systems to serve Sefton Drive Water Main Replacement. This project is located inside the City (PRIVATELY FUNDED/UTILITY CAPITAL).
John Suarez moved approval of Water Main Replacement Contract #2003-W-08 between Indiana Air National Guard and the Fort Wayne Water Utility to construct water main systems to serve Sefton Drive Water Main Replacement. Motion carried. Water main systems to be constructed.

21. Approval of General Accounting Claims in the amount of $2,931,748.14.
John Suarez moved approval of General Accounting Claims in the amount of $2,931,748.14. Motion carried. General Accounting Claims to be sent to the Department of Finance.

22. Approval of City Utilities write-off of delinquent revenue accounts for the month of April 2003 in the amount of $27,792.06.
John Suarez moved approval of City Utilities write-off delinquent revenue accounts for the month of April 2003 in the amount of $27,792.06. Motion carried. Delinquent revenue accounts to be sent to a collection agency.

23. Approval of City Utilities miscellaneous write-off accounts in the amount of $3,700.82.
Denise Porter-Ross moved approval of City Utilities miscellaneous write-off accounts in the amount of $3,700.82. Miscellaneous write-off accounts to be sent to a collection agency.

24. Old Business.

None.

25. New Business.

Approval of recommendation received from Engineering Support Services to accept the work performed by Reynolds Inliner, Inc., on Improvement Resolution #681-02, Inwood Drive Combination Sewer Rehabilitation.

Denise Porter-Ross moved approval of recommendation received from Engineering Support Services to accept the work performed by Reynolds Inliner, Inc., on Improvement Resolution #681-02, Inwood Drive Combination Sewer Rehabilitation. Motion carried. Acceptance letter to be sent.

Meeting adjourned at 9:20 a.m.

Robert P. Kennedy, Chairman

John Suarez, Member

Denise Porter-Ross, Member

ATTEST: ~~Carolyn S. Newport~~, Clerk
Justin Brugger

BOARD OF PUBLIC WORKS
ROOM 250 – OMNI ROOM
MEETING HELD AT 9:00 AM

ROBERT P. KENNEDY, CHAIRMAN
JOHN SUAREZ, MEMBER
DENISE PORTER-ROSS, MEMBER

JUSTIN BRUGGER, CLERK

Present: All Members & Clerk; Greg Meszaros - Director of Public Works and Utilities; David Ross - City Engineering; Chuck Bailey & Carl Wilson - Contract Compliance; Ron Sheppard & Jack Suter - Development Services; James Emans, Mark Gensic, Mike Hicks, Keith Hood, Ted Nitza, Mike Thornson, & Matthew Wirtz - Planning and Design Services; Al Lichtsinn – Street Lighting; Mario Trevino – Transportation Engineering Services.

1. **RECEIVE BIDS:** Improvement Resolution #1579-03: St. Joseph Dam Repairs Phase I-2003.

BIDDERS	BASE BID
ONYX	$153,857.00
Primco, Inc.	**$123,460.37**
Engineer's Estimate	**$120,000.00**

Engineering Support Services to tabulate and report.

2. **RECEIVE BIDS:** Improvement Resolution #1607-03: Finished Water Capacity Development-Vacated Spy Run Mobile Home Park Site Work.

BIDDERS	BASE BID
All-Star Construction	$21,900.00
Bercot, Inc.	$36,635.00
Crosby Excavating	$28,371.00
Martin, Inc.	**$14,177.00**
Reinhart's Excavating	$21,900.00
Robbco, Inc.	$17,127.00
Widner Paving	$39,355.00
Engineer's Estimate	**$28,875.00**

Engineering Support Services to tabulate and report.

3. **RECEIVE BIDS:** Improvement Resolution #6956-03: Irene Avenue: Poinsette to Ethel Avenue.

BIDDERS	BASE BID
Brooks Construction Co., Inc.	$72,307.00
Hipskind Concrete	$63,246.00
Key Concrete, Inc.	**$61,370.00**
Newell Construction	$62,585.00
Primco, Inc.	$68,713.24
Widner Paving	$65,212.50
Engineer's Estimate	**$68,910.00**

Transportation Engineering Services to tabulate and report.

4. **RECEIVE BIDS:** Improvement Resolution #6960-03: Rothman Road & St. Joe Road Intersection.

BIDDERS	BASE BID
Benchmark Construction	$249,795.00
Brooks Construction Co., Inc.	$269,414.40
E&B Paving	$247,295.23
Hipskind Concrete	$250,418.20
Wayne Asphalt	**$240,970.80**
Engineer's Estimate	**$ 208,135.25**

Transportation Engineering Services to tabulate and report.

5. **RECEIVE BIDS:** Improvement Resolution #6961-03: Woodhurst Addition.

BIDDERS	BASE BID
API Construction	$88,764.35
Benchmark Construction	**$77,612.00**
Brooks Construction Co., Inc.	$90,103.35
E&B Paving	$87,413.60
Wayne Asphalt	$90,241.81
Engineer's Estimate	**$130,816.37**

Transportation Engineering Services to tabulate and report.

6. **RECEIVE BIDS:** Improvement Resolution #6964-03: Hoagland Avenue: Belmont to Paulding Road.

BIDDERS	Street Reconstruction	Water Main Base Bid	Water Main Alt. Bid
Benchmark Construction	**$155,712.00**	$----------	**$56,300.00**
Hipskind Concrete	$162,624.25	$----------	$57,330.00
Wayne Asphalt	$165,075.00	**$49,914.00**	$60,485.00
Engineer's Estimate	**$158,507.50**	**$64,910.00**	**$61,820.00**

Transportation Engineering Services to tabulate and report.

7. Approval of Board of Public Works Minutes of July 2, 2003.

John Suarez moved approval of Board of Public Works Minutes of July 2, 2003. Motion carried. Minutes approved.

8. **AWARD:** Improvement Resolution #1514-03, Camp Scott Wetlands IIIB to Phend & Brown, Inc., in the amount of $1,177,366.10. Contract Compliance Concurs with this award.

Denise Porter-Ross moved approval of AWARD for Improvement Resolution #1514-03, Camp Scott Wetlands IIIB to Phend & Brown, Inc., in the amount of $1,177,366.10. Motion carried. Notice of award to be sent. Engineering Support Services to prepare contracts.

9. **AWARD:** Improvement Resolution #6958-03, Public Sidewalk Curb Ramps 2003-Pkg., to Hipskind Concrete, in the amount of $164,294.50. Contract Compliance Concurs with this award.

John Suarez moved approval of AWARD for Improvement Resolution #6958-03, Public Sidewalk Curb Ramps 2003 Pkg. To Hipskind Concrete, in the amount of $164,294.50. Motion carried. Notice of award to be sent. Transportation Engineering Services to prepare contracts.

10. Approval of Resolution #90-200-5, of the Board of Public Works of the City of Fort Wayne, Indiana, requesting a grant of net revenues from the Lease Rental Income in the amount of $1.5 million over a 10 year period for Capital Improvement of the Northeast Indiana Innovation Center ("INNOVATION CENTER").

Denise Porter-Ross moved approval of RESOLUTION of the Board of Public Works approving grant of net revenues from Lease Rental Income for capital improvements to the Northeast Indiana Innovation Center in the amount of $1.5 million over 10 years. Motion carried. Copy to be herein incorporated. Copy also to be placed in vault.

11. Approval of Construction Contract #6908-03 between the City of Fort Wayne and Key Concrete, Inc., for Miscellaneous Construction Package 4-A-03 in the amount of $24,773.00.

John Suarez moved approval of Construction Contract #6908-03 between the City of Fort Wayne and Key Concrete, Inc., for Miscellaneous Construction Contract Package 4-A-03 in the amount of $24,773.00. Motion carried. Notice to Proceed to be sent.

12. Approval of Construction Contract #6917-03 between the City of Fort Wayne and Key Concrete, Inc., for Lincoln Park Neighborhood Project 2003 in the amount of $34,769.00.

Denise Porter-Ross moved approval of Construction Contract #6917-03 between the City of Fort Wayne and Key Concrete, Inc., for Lincoln Park Neighborhood Project 2003 in the amount of $34,769.00. Motion carried. Notice to Proceed to be sent.

13. Approval of Assessment Roll for Improvement Resolution #6920-02, Kern Valley Meadows-Multi Project. Property Owners have waived their right for a public hearing.

John Suarez moved approval of assessment roll for Improvement Resolution #6920-02, Kern Valley Meadows – Multi Project. Motion carried. Assessments to be sent.

14. Approval of Construction Contract #286-03 between the City of Fort Wayne and Robert Henry Corp., for Lima Road (Coliseum to Ley) Street Light Improvement in the amount of $34,090.00.

Denise Porter-Ross moved approval of Construction Contract #286-03 between the City of Fort Wayne and Robert Henry Corp., for Lima Road (Coliseum to Ley) Street Light Improvement, in the amount of $34,090.00. Motion carried. Notice to Proceed to be sent.

15. Approval of Construction Contract #6959-03 between the City of Fort Wayne and Key Concrete, Inc., for Old Trail Neighborhood in the amount of $17,725.00.

John Suarez moved approval of Construction Contract #6959-03 between the City of Fort Wayne and Key Concrete, Inc., for Old Trail Neighborhood in the amount of $17,725.00. Motion carried. Notice to Proceed to be sent.

16. Approval of Construction Contract #6955-03 between the City of Fort Wayne and Hipskind Concrete, for Hale Avenue in the amount of $57,902.60.

Denise Porter-Ross moved approval of Construction Contract #6955-03 between the City of Fort Wayne and Hipskind Concrete, for Hale Avenue in the amount of $57,902.60. Motion carried. Notice to Proceed to be sent.

17. Approval of Construction Contract #6951-03 between the City of Fort Wayne and Primco, Inc., for Clover Lane in the amount of $19,453.18.

John Suarez moved approval of Construction Contract #6951-03 between the City of Fort Wayne and Primco, Inc., in the amount of $19,453.18. Motion carried. Notice to Proceed to be sent.

18. Approval of Supplemental Agreement between the City of Fort Wayne and Bonar & Associates, Inc., to provide professional services for the Right of Way Engineering improvements to St. Joe Center Road. Proposed improvements to include acquiring Parker Cemetery Property. Compensation for services performed shall be a fee not to exceed $16,906.00. City Engineering recommends approval.

David Ross, City Engineer, stated that this is for additional services directed toward the cemetery, such as plotting the location of additional cemetery ground to acquire for the relocation of the gravesites. This is a federal-aid project so the additional services will be participated with by the federal aid system. The federal share is $13,524.80 and the City's share is $3,381.00.

Denise Porter-Ross moved approval of Supplemental Agreement between the City of Fort Wayne and Bonar & Associates, Inc., for professional services for right-of-way engineering improvements to St. Joe Center Road. Motion carried. Copy to be placed on file in vault.

19. Approval of agreement between the City of Fort Wayne and Bonar Group to provide professional services for the design of improvements to the West Jefferson Boulevard Trail. Proposed improvements include hydraulic computer model evaluating impact to floodway at proposed pedestrian bridge over Natural Drain No. 2. Compensation for services performed shall be $3,600.00 funded through the CEDIT Account. City Engineering recommends approval.

David Ross, City Engineer, stated that the engineering is complete and most of the permits are complete. It is scheduled for a September bid through INDOT. Since the Indiana DNR is funding 80% of the trail project, they are requiring modeling of Natural Drain No. 2, because it is being constructed in a flood zone.

John Suarez moved approval of agreement between the City of Fort Wayne and Bonar Group for design of improvements to the West Jefferson Boulevard Trail, in the amount of $3,600.00. Motion carried. Copy to be placed on file in vault.

20. Approval of recommendation from Transportation Engineering Services to accept the work performed by Garcia Concrete Construction, for Contract #6920-03, Kern Valley Meadows as an integral part of the City's transportation system.

Denise Porter-Ross moved approval of recommendation from Transportation Engineering Services to accept the work performed by Garcia Concrete Construction, for Contract #6920-03, Kern Valley Meadows as an integral part of the City's transportation system. Motion carried. Acceptance letter to be sent.

21. Approval of Escrow Agreement between the City of Fort Wayne and All Star Construction & Excavating for Improvement Resolution #6911-03, Inwood Drive. The Escrow Agent is Lake City Bank.

John Suarez moved approval of escrow agreement between the City of Fort Wayne and All-Star Construction and Excavating for Improvement Resolution #6911-03, Inwood Drive. Motion carried. Escrow agreement to be sent to the escrow agent.

22. Approval of release of escrow received from All Star Construction for Improvement Resolution #6736-01, N. Clinton Street, Coliseum to Coldwater, in the amount of $108,729.87. Bank One is the escrow agent.

David Ross, City Engineer, recommended to the board that we postpone this consideration for a week pending settlement of dispute between All-Star Construction and Three-Rivers Barricade, a subcontractor.

John Suarez moved that the consideration be postponed until next week. Motion carried.

23. Approval of Change Order #1 received from Key Concrete, Inc., for Improvement Resolution #6954-03, Misc. Construction Package 1-A-03 decreasing the amount the contract amount by $1,435.92. The original contract price was $28,720. The new contract price including this change order is $27,284.08.

Mario Trevino stated that two existing catch basins are not in the poor condition previously thought, so there is no need to completely replace the two structures.

Denise Porter-Ross moved approval of Changer Order #1 received from Key Concrete, Inc., for Improvement Resolution #6954-03, Misc. Construction Package 1-A-03, decreasing the contract amount by $1,435.92. Motion carried. Contract amount to be decreased.

24. Approval of Change Order #1 and final received from Key Concrete, Inc., for Improvement Resolution 6935-03, Lakeshores Community Concrete Street Repairs increasing the amount by $1,999.95. The original contract price was $30,195. The new contract price including this change order is $32,194.95.

Mario Trevino stated that the final change order involved adding more pavement reconstruction adjacent our planned areas of construction. Curb type 2A had been omitted from the project, so a new item was completed to establish a price. The entire estimated quantity in curb ramp construction was not used.

John Suarez moved approval of Change Order #1 and final received from Key Concrete, Inc., for Improvement Resolution 6935-03, Lakeshores Community Concrete Street Repairs increasing the amount by $1,999.95. Motion carried. Contract amount to be increased.

25. Approval of Change Order #1 received from Primco, Inc., for Improvement Resolution #6936-03, Pontiac Street & Wayne Trace Intersections increasing the amount of the contract by $36,319.43. The original contract price was $1,258,961.22. The new contract price including this change order is $1,295,280.65.

David Ross, City Engineer, stated that when we bid this project, Primco approached the City with an offer to change the pavement type for the roadway reconstruction from asphalt to cement concrete for approximately the same price as asphalt pavement. Cement concrete has a longer life expectancy over bitumous materials. We have been negotiating back and forth over the unit prices. This change order does delete the bid items in the original bid at the higher unit costs and establishes lower unit cost for those specific items. What the $36,000.00 represents is some of the items in which there were no unit charges, but they will be deducted later when they are not used with the cement concrete

items. Specifically, Type 3 curbs that are stand-alone curbs that are used with asphalt pavement. There is no change; it will be adjusted in the final work order.

Denise Porter-Ross said she has heard concerns from businesses in the area about access to their lots during construction.

David Ross, City Engineer, stated that he has been in contact with the Citizens' Advocate in the area and there is one of three auto sales lots whose entrance is in the construction zone. They are working with neighbors to get some access off of their property so vehicles can move back and forth.

Denise Porter-Ross moved approval of Change Order #1 received from Primco, Inc., for Improvement Resolution #6936-03, Pontiac Street & Wayne Trace Intersections, increasing the contract amount by $36,319.43. Motion carried. Contract price to be increased.

26. **IMPROVEMENT RESOLUTION #1591-03**, General Cured-In-Place Sewer Rehabilitation.

Mike Hicks stated that this is a continuation of our projects to line existing sewers that are in poor condition. This project contains sewers that range in diameter from 12 to 36 inches. The total length is 28,000 feet, with approximately 9,200 feet of it being separate sewers and 18,000 feet being combined sewers. The average age of the sewers is 94 years old, and many are more than 100 years old.

John Suarez moved for approval of Improvement Resolution #1591-03. Motion carried. Copy to be herein incorporated.

27. **IMPROVEMENT RESOLUTION #1116-03**, Northwest Pump Station #2 and Water Mains, Phase 1-Water Main Installation.

Matthew Wirtz stated that this is for construction of Phase 1, water mains for Northwest Pump Station No. 2, one of our biggest distribution projects. The actual pump station is to be bid later this year. The project will include suction and discharge lines and also a boring under I-69 for another connection into the Northwest Pressure Zone. The pump station is going to be located near Clinton Street by Holland Elementary.

Denise Porter-Ross moved for approval of Improvement Resolution #1116-03. Motion carried. Copy to be herein incorporated.

28. Approval of Construction Contract #1554-02, 4700 Block of Stellhorn Road – Sanitary Sewer, between the City of Fort Wayne and Reinhart's Excavating, in the amount of $28,080.00.

John Suarez inquired about previous problems with this contractor on Old Decatur Road.

Ron Sheppard stated that the City has had a number of discussions with the owner of the company, who assured us these problems will not occur anymore at that location or with any future projects.

John Suarez moved approval of Construction Contract #1554-02, 4700 Block of Stellhorn Road – Sanitary Sewer, between the City of Fort Wayne and Reinhart's Excavating, in the amount of $28,080.00. Motion carried. Notice to proceed to be sent.

29. Approval of agreement between the City of Fort Wayne and CH2M Hill to provide professional services for the High Service Discharge Valve Studies for the Filtration Plant Improvements Final Design, in the amount of $70,788.00. This agreement will complete critical studies related to the High Service Discharge valves and piping, as well as final design for improvements to the existing lime sludge conveyance system, fluoride system, and Plant 3 influent flume and concrete walls.

Mark Gensic stated that there are several different places in the treatment process that improvements need to be made, which will proceed under this contract. One of them is high-service pump protection with a surge relief valve. Another is a major valve replacement near the high-service pump building's central sludge pump that will pump our lime sludge away from the plant out to the lime sludge lagoons on Lake Avenue. The project also includes a heat exchanger that will aid in winterizing the third plant. The engineering should be completed by December. We will follow-up with some of the projects in next year's capital budget.

Denise Porter-Ross moved approval of agreement between the City of Fort Wayne and CH2M Hill to provide professional services for the High-Service Discharge Valve Studies for the Filtration Plant Improvements Final Design, in the amount of $70,788.00. Motion carried. Copy to be place on file in vault. Notice to proceed to be sent.

30. Approval of agreement between the City of Fort Wayne and Crowe, Chizek, and Company, LLP, to provide professional services valuating the AquaSource Northern Water and Wastewater Systems. The contract amount is $50,000.

Ted Nitza stated that this is the next step along the path of condemnation of the North System of Utility Center dba AquaSource. On June 18, the Board of Public Works approved a resolution authorizing two appraisals of the North System. This appraisal will focus on the financial analysis method. The firm will submit their appraisal within 30 days of their notice to proceed.

Denise Porter-Ross moved approval of agreement between the City of Fort Wayne and Crowe, Chizek, and Company, LLP, to provide professional services valuating the AquaSource Northern Water and Wastewater Systems, in the amount of $50,000.00. Motion carried. Copy to be placed on file in vault. Notice to proceed to be sent.

31. Approval of agreement between the City of Fort Wayne and Malcolm Pirnie, Inc., to provide professional services valuating the AquaSource Northern Water and Wastewater Systems. The contract amount is $45,000.

Ted Nitza stated that this appraisal will focus on the engineering analysis method. The firm will submit their appraisal within 30 days of their notice to proceed.

John Suarez moved approval of agreement between the City of Fort Wayne and Malcolm Pirnie, Inc., to provide professional services valuating the AquaSource Northern Water and Wastewater Systems, in the amount of $45,000.00. Motion carried. Copy to be placed on file in vault. Notice to proceed to be sent.

32. Approval of recommendation from Engineering Support Services to accept the work performed by Frontier Contractors for Contract #2002-W-19, Creekwood Section III – Water, as an integral part of the City's water distribution system.

Denise Porter-Ross moved approval of recommendation from Engineering Support Services to accept the work performed by Frontier Contractors for Contract #2002-W-19, Creekwood Section III – Water, as an integral part of the City's water main system. Motion carried. Acceptance letter to be sent.

33. Approval of Change Order #1 – Final received from Dafforn Excavating, Inc., for Improvement Resolution #1113-02, Glenhurst, Merivale, Rolston, and Springfield Water Main Replacement, decreasing the amount the contract amount by $1,920.20. The original contract price was $145,303.91. The new contract price including this change order is $143,383.71.

Ron Sheppard stated the change order reflects final quantity adjustments. We ran into some sewer pipes we had to go around, and had to change from a Type-1 fire hydrant to a Type-3. We did not have to use any of the work allowance, so we are returning that.

John Suarez moved approval of Change Order #1 – Final, received from Dafforn Excavating, Inc., for Improvement Resolution #1113-02, Glenhurst, Merivale, Rolston, and Springfield Water Main Replacement, decreasing the contract amount by $1,920.20. Motion carried. Contract price to be decreased.

34. Approval of recommendation from Engineering Support Services to accept the work performed by Dafforn Excavating, Inc., for Contract #1113-02, Glenhurst, Merivale, Rolston, and Springfield Water Main Replacement, as an integral part of the City's water distribution system.

Denise Porter-Ross moved approval of recommendation from Engineering Support Services to accept the work performed by Dafforn Excavating, Inc., for Contract #1113-02, Glenhurst, Merivale, Rolston, and Springfield Water Main Replacement, as an integral part of the City's water distribution system. Motion carried. Acceptance letter to be sent.

35. Approval of release of escrow received from Dafforn Excavating, Inc., for Improvement Resolution #1113-02, Glenhurst, Merrivale, Rolston, and Springfield Water Main Replacement, in the amount of $14,338.37. The escrow agent is Grabill Bank.

Denise Porter-Ross moved approval of release of escrow received from Dafforn Excavating, Inc., for Improvement Resolution #1113-02, Glenhurst, Merivale, Rolston, and Springfield Water Main Replacement, in the amount of $14,338.37. Motion carried. Release of Escrow to be sent to the escrow agent.

36. Approval of release of escrow received from Robbco, Inc., for Improvement Resolution #03-01, Restoration of Water Maintenance Utility Cuts, in the amount of $29,545.33. The escrow agent is Ossian State Bank.

John Suarez moved approval of release of escrow received from Robbco, Inc., for Improvement Resolution #03-01, Restoration of Water Maintenance Utility Cuts, in the amount of $29,545.33. Motion carried. Release of Escrow to be sent to the escrow agent.

37. Approval of Escrow Agreement between the City of Fort Wayne and Strebig Construction for Improvement Resolution #1537-03, Lime Storage Building Addition to the WPCP Biosolids Facility. The escrow agent is Grabill Bank.

Denise Porter-Ross moved approval of Escrow Agreement between the City of Fort Wayne and Strebig Construction for Improvement Resolution #1537-03, Lime Storage Building Addition to the WPCP Biosolids Facility. Motion carried. Escrow Agreement to be sent to the escrow agent.

38. Approval of Barrett Law Claims in the amount of $118,836.00;

John Suarez moved approval of Barrett Law Claims in the amount of $118,836.00. Motion carried. Barrett Law Claims to be sent to the Department of Finance.

39. Approval of General Accounting in the amount of $7,504,843.31 for the week of July 9, 2003;

Denise Porter-Ross moved approval of General Accounting in the amount of $7,504,843.31 for the week of July 9, 2003. Motion carried. Claims to be sent to the Department of Finance.

40. Approval of General Accounting in the amount of $5,000,369.21 for the week of July 16, 2003;

John Suarez moved approval of General Accounting in the amount of $5,000,369.21 for the week of July 16, 2003. Motion carried. Claims to be sent to the Department of Finance.

41. Old Business.

42. New Business.

Approval of Developer's Confirmation of Reserved Funds and Developer's Performance Bond for Subdivision Improvements received from Mill Ridge Development Corp. in connection with Springfield Section IV.

Developer stated that the curbs have been installed and he is ready for filling in pavement. This is the bond that guarantees the entire construction even though most of it is built.

Denise Porter-Ross moved for approval of Developer's Confirmation of Reserved Funds and Developer's Performance Bond for Subdivision Improvements received from Mill Ridge Development Corp. in connection with Springfield Section IV. Motion carried.

Approval of Secondary Subdivision Plat for Springfield Section IV.

John Suarez moved approval of Secondary Subdivision Plat for Springfield Section IV. Motion carried.

Meeting adjourned at 9:50 a.m.

Robert P. Kennedy, Chairman

John Suarez, Member

Denise Porter-Ross, Member

ATTEST: _____
Justin Brugger, Clerk

BOARD OF STORMWATER MANAGEMENT
JULY 16, 2003

BOARD OF STORMWATER MANAGEMENT
ROOM 250 – OMNI ROOM
MEETING HELD AT 9:55 AM

GREG MESZAROS, CHAIRMAN
JOHN SUAREZ, MEMBER
DENISE PORTER-ROSS, MEMBER

JUSTIN BRUGGER, CLERK

PRESENT: All Members & Clerk. Robert Kennedy, Associate Director of Public Works & Utilities; Chuck Bailey & Carl Wilson – Contract Compliance; Ron Sheppard & Jack Suter, Development Services; James Emans, Mark Gensic, Mike Hicks, Keith Hood, Ted Nitza, Mike Thornson, & Matthew Wirtz – Planning and Design Services.

1. Approval of Board of Stormwater Management Minutes of July 2, 2003.

   John Suarez moved approval of the Board of Stormwater Management Minutes of July 2, 2003. Motion carried. Minutes approved.

2. Resolution of the Stormwater Management Board of the City of Fort Wayne, Indiana, granting additional continuance on its decision in Resolution #90-31-2 of the Stormwater Board appropriating and condemning real property.

   Greg Meszaros stated that this resolution allows 60 days to continue productive settlement negotiations in an attempt to settle outside the condemnation process.

   Denise Porter-Ross moved approval of granting additional continuance in Resolution #90-31-2 of the Stormwater Board appropriating and condemning real property. Motion carried. Continuance added.

3. Approval of Escrow Agreement between the City of Fort Wayne and Crosby Excavating for Improvement Resolution #1558-03, IIT Schick Street Stormwater Improvement. Escrow Agent is Bank One.

   Denise Porter-Ross moved approval of escrow agreement between the City of Fort Wayne and Crosby Excavating for Improvement Resolution #1558-03, ITT Schick Street Stormwater Improvement. Motion carried. Escrow agreement to be sent to escrow agent.

4. Approval of recommendation from Engineering Support Services to accept the work performed by Frontier Contractors for Contract #2002-ST-05, Creekwood Section III – Storm, as an integral part of the City's storm drainage system.

John Suarez moved approval of Contract #2002-ST-05, Creekwood Section III – Storm. Motion carried. Notice to Proceed to be sent.

5. Approval of Professional Services Agreement between the City of Fort Wayne and Engineering Resources, Inc., in the amount of $8,248.00, to provide a Stormwater Detention Basin Alternatives Report for Washington Township Natural Drain No. 6.

Mike Thornson stated that the 1996 Spy Run Master Plan recommended regional detention basins throughout this watershed. Because of floodway violations, it was proposed that putting regional detention basins on this stream would help mitigate flooding encroachments and help enhance and promote development in the area, as well as providing additional protection downstream for property owners. The regional detention facility met opposition when trying to get State permits. Permit requirements for putting such a facility on the channel and within a floodway resulted in high costs and quite extensive design requirements. Alternatives were looked into. After meeting with State regulatory agencies, Engineering Resources confirmed that the State permits were exorbitantly high. It was then decided to construct regional detention basins outside the floodway. In mid to early September, Engineering Resources is to come to us with a final report identifying a few different alternatives with a recommendation. We hope to proceed into the design process with construction underway in early 2004.

Denise Porter-Ross moved approval of Professional Services Agreement between the City of Fort Wayne and Engineering Resources, Inc., in the amount of $8,248.00, to provide a Stormwater Detention Basin Alternatives Report for Washington Township Natural Drain No. 6. Motion carried. Copy to be placed on file in vault. Notice to proceed to be sent.

6. Old Business.

7. New Business.

Meeting adjourned at 9:50 a.m.

Greg Meszaros, Chairman

John Suarez, Member

Denise Porter-Ross, Member

ATTEST: _____
Justin Brugger, Clerk

JULY 23, 2003

BOARD OF PUBLIC WORKS
ROOM 250—OMNI ROOM
MEETING HELD AT 9:00 A.M.

ROBERT P. KENNEDY, CHAIRMAN
JOHN SUAREZ, MEMBER
DENISE PORTER-ROSS, MEMBER

JUSTIN BRUGGER, CLERK

Present: All Members & Clerk; Kristine Degabriele, Associate City Attorney; David Ross - City Engineering; Chuck Bailey & Carl Wilson - Contract Compliance; Ron Sheppard, Nancy Townsend, & Jack Suter - Development Services; Mark Gensic, Mike Thornson, & Matthew Wirtz - Planning and Design Services; Mario Trevino & Mike Fruchey – Transportation Engineering Services; Rick Orr & Ken Nicolet, Public Works Administration; John Perlich, Public Information Officer.

1. RECEIVE BIDS: Contract #03-04: Restoration of Water Maintenance Utility Cuts.

BIDDERS	BASE BID
Robbco, Inc.	**$181,601.30**
Engineer's Estimate	**$177,917.16**

Engineering Support Services to tabulate and report.

2. RECEIVE BIDS: Resolution #656-02: Rudisill Subbasin West End Partial Sewer Separation-North.

BIDDERS	BASE BID
All-Star Construction	**$2,487,480.50**
Fleming Excavating	$2,904,824.87
Engineer's Estimate	**$2,488,906.00**

Engineering Support Services to tabulate and report.

3. **RECEIVE BIDS: Resolution #6924-03: Fulton Street: 900 Block.**

BIDDERS	BASE BID
Brooks Construction Co., Inc.	$25,518.10
Hipskind Concrete Corp.	$21,857.70
Key Concrete, Inc.	$19,902.00
Primco, Inc.	**$18,225.58**
Engineer's Estimate	**$19,518.16**

Transportation Engineering Services to tabulate and report.

4. Approval of Board of Public Works Minutes of July 16, 2003.

Denise Porter-Ross moved approval of Board of Public Works Minutes of July 16, 2003. Motion carried. Minutes approved.

5. **AWARD:** Improvement Resolution #1579-03, St. Joe Dam Repairs Phase I – 2003, to Primco, Inc. in the amount of $123,500.37. Contract Compliance Concurs with this award.

John Suarez moved approval of AWARD for Improvement Resolution #1579-03, St. Joe Dam Repairs Phase I – 2003, to Primco, Inc. in the amount of $123,500.37. Motion carried. Notice of award to be sent. Engineering Support Services to prepare contracts.

6. **AWARD:** Improvement Resolution #1607-03, Finished Water Capacity Development – Vacated Spy Run Mobile Home Park, to Martin Service Systems in the amount of $14,177.00. Contract Compliance Concurs with this award.

Denise Porter-Ross moved approval of AWARD for Improvement Resolution #1607-03, Finished Water Capacity Development – Vacated Spy Run Mobile Home Park, to Martin Service Systems in the amount of $14,177.00. Motion carried. Notice of award to be sent. Engineering Support Services to prepare contracts.

7. **AWARD:** Improvement Resolution #6964-03, Hoagland Avenue, to Benchmark Construction, Inc. in the amount of $212,012.00. Contract Compliance concurs with this award.

John Suarez moved approval of AWARD for Improvement Resolution #6964-03, Hoagland Avenue, to Benchmark Construction, Inc. in the amount of $212,012.00. Motion carried. Notice of award to be sent. Transportation Engineering Services to prepare contracts.

8. **AWARD:** Improvement Resolution #6961-03, Woodhurst Addition: Fairfax, Old Mill Road, and Century Ct., to Key Concrete in the amount of $61,370.00. Contract Compliance concurs with this award.

Denise Porter-Ross moved approval of AWARD for Improvement Resolution #6961-03, Woodhurst Addition: Fairfax, Old Mill Road, and Century Ct., to Key Concrete in the amount of $61,370.00. Motion carried. Notice of award to be sent. Transportation Engineering Services to prepare contracts.

9. **AWARD:** Improvement Resolution #6960-03, Rothman Road & St. Joe Road Intersection to Benchmark Construction in the amount of $77,612.00. Contract Compliance concurs with this award.

John Suarez moved approval of AWARD for Improvement Resolution #6960-03, Rothman Road & St. Joe Road Intersection to Benchmark Construction in the amount of $77,612.00. Motion carried. Notice of award to be sent. Transportation Engineering Services to prepare contracts.

10. Approval of Construction Contract #6957-03 between the City of Fort Wayne and Benchmark Construction, for Abbott Street: Paulding Road to South Terminus, in the amount of $105,533.00.

Denise Porter-Ross moved approval of AWARD for Improvement Resolution #6957-03 between the City of Fort Wayne and Benchmark Construction, for Abbott Street: Paulding Road to South Terminus, in the amount of $105,533.00. Motion carried. Notice of award to be sent. Transportation Engineering Services to prepare contracts.

11. Approval of release of escrow received from All-Star Construction for Improvement Resolution #6736-01, N. Clinton Street, Coliseum to Coldwater, in the amount of $108,729.87. The escrow agent is Bank One.

Denise Porter-Ross moved that item be untabled. John Suarez inquired if dispute had been settled. Dispute has been settled.

John Suarez moved approval of release of escrow received from All-Star Construction for Improvement Resolution #6736-01, N. Clinton Street, Coliseum to Coldwater, in the amount of $108,729.87. Motion carried. Release to be sent to the escrow agent.

12. Approval of agreement between the City of Fort Wayne and Phoenix Manor, L.P., in the amount of $50,000.00 allocated from 6th District CEDIT funds, to be used for an economic development project relating to the public infrastructure improvements surrounding Phoenix Manor.

Rick Orr described Phoenix Manor as a senior citizens' housing complex currently under development south of Creighton, west of Bowser, near our Police Operations Center. Councilman Hines asked that some of his CEDIT dollars be used to support the project. The funds are primarily being used for site development work. Kristine Degabriele researched to ensure this complies with state statue regarding use of CEDIT funds.

Denise Porter-Ross moved approval of agreement between the City of Fort Wayne and Phoenix Manor, L.P., in the amount of $50,000.00 allocated from 6th District CEDIT funds, to be used for an economic development project relating to the public infrastructure improvements surrounding Phoenix Manor. Motion carried.

13. Approval of Special Street Permit granted to Paragon Development Corporation, LLC, to construct streets in accordance with approved plans and profiles, for Sutters Cove – Section I.

Mike Fruchey stated this will service 120 residential lots. The total length of all sections is 3,448.69 LF. All construction will be consistent with our standards.

John Suarez moved for approval of Special Street Permit granted to Paragon Development Corporation, LLC, to construct streets in accordance with approved plans and profiles, for Sutters Cove – Section I. Motion carried. Streets to be constructed.

14. Approval of Special Street Permit granted to Maysville Park Development, LLC, to construct streets in accordance with approved plans and profiles, for Brickshire Village – Section I.

Mike Fruchey stated this will service 47 residential lots. The total length of all sections is 1,618.48 LF. All construction will be consistent with our standards.

Denise Porter-Ross moved for approval of Special Street Permit granted to Maysville Park Development, LLC, to construct streets in accordance with approved plans and profiles, for Brickshire Village – Section I. Motion carried. Streets to be constructed.

15. Approval of Construction Contract #2003-S-14 between the City of Fort Wayne and Paragon Land Development, LLC, for Sutters Cove. This project is privately funded, located inside the City of Fort Wayne, and is in a green zone.

John Suarez moved for approval of Construction Contract #2003-S-14 between the City of Fort Wayne and Paragon Land Development, LLC, for Sutters Cove. Motion carried. Notice to proceed to be sent.

16. **IMPROVEMENT RESOLUTION #1546-02**, Wadington Road Sanitary Sewer Petition Project approving the extension of 779 LF of sanitary sewer to serve ten properties. Development Services recommends approval.

Nancy Townsend stated this petition project was initiated by property owners living on the east side of Wadington Road. All affected property owners will be assessed $4,000.00.

Denise Porter-Ross moved for approval of Improvement Resolution #1546-02, Wadington Road Sanitary Sewer Petition Project. Motion carried. Copy to be herein incorporated.

17. **IMPROVEMENT RESOLUTION #1586-03**, Philley Avenue Sanitary Sewer Petition Project approving the extension of 1,716 LF of sanitary sewer to serve ten properties. Development Services recommends approval.

Nancy Townsend stated this petition is for ten properties recently voluntary annexed. All property owners will be assessed $4,000.00.

John Suarez moved for approval of Improvement Resolution ##1586-03, Philley Avenue Sanitary Sewer Petition Project approving the extension of 1,716 LF of sanitary sewer to serve ten properties. Motion carried. Copy to be herein incorporated.

18. **IMPROVEMENT RESOLUTION #1536-2003**, Fort Wayne Airport – Keller Road / Perimeter Drive Water Main Replacement.

Matthew Wirtz stated this project is to improve water pressure and fire protection to the area. The project is funded by City and County Economic Development, a State grant, and utility funds.

Denise Porter-Ross moved for approval of Improvement Resolution #1536-2003, Fort Wayne Airport – Keller Road / Perimeter Drive Water Main Replacement. Motion carried. Copy to be herein incorporated.

19. **IMPROVEMENT RESOLUTION #1518-2003**, Union Chapel Road, Phase 2 – Water Main Extension.

Matthew Wirtz stated this is an extension of a feeder main, and is part of our strategy to serve new customers in the area. It includes about 1,700 feet of 16" main.

John Suarez moved for approval of Improvement Resolution #1518-2003, Union Chapel Road, Phase 2 – Water Main Extension. Motion carried. Copy to be herein incorporated.

20. Approval of Construction Contract #1582-03 between the City of Fort Wayne and Integrity Engineering, for Northwest Pump Station #1, in the amount of $17,860.00.

Denise Porter-Ross moved approval of Construction Contract #1582-03 between the City of Fort Wayne and Integrity Engineering, for Northwest Pump Station #1, in the amount of $17,860.00. Motion carried. Notice to proceed to be sent.

21. Approval of Construction Contract #2003-W-14 between the City of Fort Wayne and Lester Daugherty, for Pettit Avenue Water Main Extension to 4216 Maple Grove Avenue. This project is privately funded and located outside the City of Fort Wayne.

Jack Suter stated this will extend an existing water line about 210 feet eastward so a property on Maple Grove Avenue can access the water line for several lots.

John Suarez moved approval of Construction Contract #2003-W-14 between the City of Fort Wayne and Lester Daugherty, for Pettit Avenue Water Main Extension to 4216 Maple Grove Avenue. Motion carried. Notice to proceed to be sent.

22. Approval of Change Order #1 – Final, received from Earth Construction for Improvement Resolution #666-02, Sheridan Road Sanitary Sewer Extension, decreasing the original contract amount by $4,016.00. The original contract amount was $49,890.00. The new contract price including this change order will be $45,874.00.

Ron Sheppard stated this change order reflects final quantity adjustments.

Denise Porter-Ross moved approval of Change Order #1 – Final, received from Earth Construction for Improvement Resolution #666-02, Sheridan Road Sanitary Sewer Extension, decreasing the original contract amount by $4,016.00. Motion carried. Contract price to be decreased.

23. Approval of Escrow Agreement between the City of Fort Wayne and Land, Inc., for Improvement Resolution #1515-03, Camp Scott Phase IV Excess Water Outlet, in the amount of $50,481.50. The escrow agent is Farmers & Merchants Bank.

John Suarez moved approval of Escrow Agreement between the City of Fort Wayne and Land, Inc., for Improvement Resolution #1515-03, Camp Scott Phase IV Excess Water Outlet, in the amount of $50,481.50. Motion carried. Release of Escrow to be sent to the escrow agent.

24. Approval of General Accounting in the amount of $10,617,995.64 for the week of July 23, 2003;

Denise Porter-Ross moved approval of general accounting claims. Motion carried. Claims to be sent to Department of Finance.

25. Old Business.

26. New Business.

Approval of Change Order #3, received from Wayne Asphalt for Improvement Resolution #6914-03, Harrison Street - South: Rudisill Boulevard to Killea, increasing the contract amount by $10,476.00. The original contract price was $161,762.00. The new price including this change order will be $187,213.00.

Mario Trevino stated this seeks to add 14 days to the contract due to delays in the decision determining whether or not Water Maintenance would perform the work to adjust curb boxes or if the work would be performed by the contractor. There were also delays due to weather. This reflects the cost of the contractor installing the curb boxes.

John Suarez moved approval of Change Order #3, received from Wayne Asphalt for Improvement Resolution #6914-03, Harrison Street - South: Rudisill Boulevard to Killea, increasing the contract amount by $10,476.00. Motion carried. Contract price increased.

Meeting adjourned at 9:26 a.m.

Robert P. Kennedy, Chairman

John Suarez, Member

Denise Porter-Ross, Member

ATTEST: Justin Brugger

Justin Brugger, Clerk

BOARD OF STORMWATER MANAGEMENT
ROOM 250 – OMNI ROOM
MEETING HELD AT 9:28 AM

GREG MESZAROS, CHAIRMAN
JOHN SUAREZ, MEMBER
DENISE PORTER-ROSS, MEMBER

JUSTIN BRUGGER, CLERK

PRESENT: All Members & Clerk. Robert Kennedy - Associate Director of Public Works & Utilities; Chuck Bailey & Carl Wilson – Contract Compliance; Mark Gensic & Matthew Wirtz – Planning and Design Services; Ken Nicolet - Public Works Administration; John Perlich - Public Information Officer.

1. Approval of Board of Stormwater Management Minutes of July 16, 2003.

   Denise Porter Ross moved approval of Stormwater Management Minutes of July 16, 2003. Motion carried. Minutes approved.

2. Approval of recommendation from Engineering Support Services to accept the work performed by Geiger Excavating for Southgate Plaza Storm Sewer Phase II, Resolution #592-99, Storm as an integral part of the City's storm drainage system.

   John Suarez moved approval of Resolution #592-99. Motion carried. Letter of Acceptance to be sent.

3. Approval of Agreement between the City of Fort Wayne and U.S. Geological Survey, United States Department of Interior to provide professional services for the installation of a river level gauge and precipitation gauge on the St. Mary's River at the Main Street Bridge. Compensation for services performed shall be $4,400.00 ($2,200.00 will be paid by the City of Fort Wayne and $2,200.00 will be paid by USGS funded through the Storm Water Utility Account).

   Greg Meszaros stated this will help us to better determine where the St. Mary's River will crest.

   Denise Porter-Ross moved approval of Approval of Agreement between the City of Fort Wayne and U.S. Geological Survey. Motion carried. Notice to Proceed to be sent.

4. Approval of Agreement between the City of Fort Wayne and Woolpert, LLP, for design of the Sunnybrook Acres 1st and 2nd Addition Stormwater System Improvements. The cost of services to be provided under this agreement is not to exceed $65,737.00.

Mike Thornson stated that the sanitary sewer system in this area tends to overload. The project will consist of 7,570 feet of sewer right-of-way ditch improvements along five streets of this subdivision. It will be totally funded by revenues from the stormwater utility.

John Suarez moved approval of agreement between the City of Fort Wayne and Woolpert, LLP, for design of the Sunnybrook Acres 1st and 2nd Addition Stormwater System Improvements. Motion carried. Copy to be placed on file in vault. Notice to Proceed to be sent.

5. Old Business.

6. New Business.

Meeting adjourned at 9:33 a.m.

Greg Meszaros, Chairman

John Suarez, Member

Denise Porter-Ross, Member

ATTEST: _____
Justin Brugger, Clerk

BOARD OF STORMWATER MANAGEMENT
JULY 30, 2003

BOARD OF STORMWATER MANAGEMENT
ROOM 250 – OMNI ROOM
MEETING HELD AT 9:32 AM

GREG MESZAROS, CHAIRMAN
JOHN SUAREZ, MEMBER
DENISE PORTER-ROSS, MEMBER

JUSTIN BRUGGER, CLERK

PRESENT: All Members & Clerk. Chuck Bailey & Carl Wilson – Contract Compliance; Ron Sheppard & Mary-Jane Slaton - Development Services; Kristine Degabriele – Associate City Attorney; Ken Nicolet – Public Works Administration.

1. Approval of Board of Stormwater Management Minutes of July 23, 2003.
   Denise Porter-Ross moved approval of Stormwater Management Minutes of July 23, 2003. Motion carried. Copy to be herein incorporated.

2. Approval of recommendation from Engineering Support Services to accept work performed by Crosby Excavating for Contract #665-02, North Drive – Reed Road Storm Sewer, as an integral part of the City's storm sewer system.
   John Suarez moved approval of recommendation from Engineering Support Services to accept work performed by Crosby Excavating for Contract #665-02, North Drive – Reed Road Storm Sewer, as an integral part of the City's storm sewer system. Motion carried. Letter of Acceptance to be sent.

3. Approval of release of escrow received from Crosby Excavating for Improvement Resolution #665-02, North Drive-Reed Road Storm Sewer, in the amount of $33,416.64. The escrow agent is Bank One.
   Denise Porter-Ross moved approval of release of escrow received from Crosby excavating for Improvement Resolution #665-02, North Drive-Reed Road Storm Sewer, in the amount of $33,416.64. Motion carried. Letter to be sent to Escrow Agent.

4. Old Business.

5. New Business.

Meeting adjourned at 9:34 a.m.

Greg Meszaros, Chairman

John Suarez, Member

Denise Porter-Ross, Member

ATTEST: _____
Justin Brugger, Clerk

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BOARD OF PUBLIC WORKS
ROOM 250—OMNI ROOM
MEETING HELD AT 9:07 A.M.

ROBERT P. KENNEDY, CHAIRMAN
JOHN SUAREZ, MEMBER
DENISE PORTER-ROSS, MEMBER

JUSTIN BRUGGER, CLERK

Present: Denise Porter-Ross, John Suarez, & Justin Brugger – Board of Public Works; Greg Meszaros – Director of Public Works and Utilities; Kristine Degabriele - Associate City Attorney; David Ross - City Engineering; Chuck Bailey & Carl Wilson - Contract Compliance; Ron Sheppard – Engineering Support Services; Mary-Jane Slaton & Jack Suter - Development Services; Pat Callahan, Mark Gensic & Matthew Wirtz - Planning and Design Services; Mario Trevino – Transportation Engineering Services; Ken Nicolet - Public Works Administration; John Perlich - Public Information Officer; Jim Howard – Purchasing Director; Dan Brenner – Property Manager; Jim Riemke – Street Light Engineering. Absent: Robert P. Kennedy.

1. **RECEIVE BIDS:** Improvement Resolution #1116-03: Northwest Pump Station #2 and Water Mains Phase I – Water Main Installation.

BIDDERS	BASE BID
All Star Construction	$482,429.00
Bercot, Inc.	$363,993.00
Fleming Excavating	$393,322.99
Gleason Construction Co., Inc.	
Henkels & McCoy	
Midwest Mole, Inc.	
E. J. Prescott	
Pyramid Excavating, Inc.	
Scheidleman Excavating, Inc.	$333,590.14
Engineer's Estimate	**$320,000.00**

Engineering Support Services to tabulate and report.

2. Approval of Board of Public Works Minutes of July 23, 2003.
John Suarez moved approval of Board of Public Works Minutes of July 23, 2003. Motion carried. Minutes approved.

3. **AWARD:** Improvement Resolution #656-02, Rudisill Subbasin – West-end Partial Sewer Separation North, to All Star Construction in the amount of $2,487,480.50. Contract Compliance concurs with this award.
John Suarez moved approval of award for Improvement Resolution #656-02, Rudisill Subbasin – West-end Partial Sewer Separation North, to All Star Construction in the amount of $2,487,480.50. Motion carried. Notice of Award to be sent. Engineering Support Services to prepare contracts.

4. **AWARD:** Contract #03-04, Restoration of Water Maintenance Utility Cuts, to Robbco in the amount of $181,601.30. Prior approval has been requested. Contract Compliance Concurs with this award.
John Suarez moved approval of award for Contract #03-04, Restoration of Water Maintenance Utility Cuts, to Robbco in the amount of $181,601.30. Motion carried. Notice of Award to be sent. Engineering Support Services to prepare contracts.

5. Approval of agreement between the City of Fort Wayne and Griffin Real Estate Services, Inc., to provide professional services for the advance appraisal of improvements to St. Joseph Center Road. Compensation for services performed shall be a lump sum fee of $6,500.00 funded through the CEDIT Account.
David Ross: This is the St. Joe Center Road Project. Particularly, the appraisal services will focus on the Parker Cemetery and the adjacent property to do the gravesite relocations. This is moving ahead of the other appraisal for the actual roadway just because of the complexity of the property acquisition. It will eventually be incorporated into the overall roadway project but this gets us a head start on these two particular properties. Griffin Real Estate Services is a certified appraiser with the State of Indiana. They have reviewed the appraisal fee along with us and we concur with the amount. Therefore, we recommend approval of this so that we may proceed.
John Suarez moved approval of agreement between the City of Fort Wayne and Griffin Real Estate Services, Inc., to provide professional services for the advance appraisal of improvements to St. Joseph Center Road. Motion carried. Copy to be placed on file in vault. Notice to Proceed to be sent.

6. Approval of agreement between the City of Fort Wayne and Rita Ann Gabriel and Associates, Inc., to provide professional services for the advance review appraisal of improvements to St. Joseph Center Road. Compensation for services performed shall be a lump sum fee of $2,925.00 funded through the CEDIT Account.
David Ross: This is in conjunction with the previous item. The way the state does it is they have an appraisal and then they have an appraisal review. Rita Gabriel will be providing that appraisal review. This has also been reviewed through InDOT and the City, and we do recommend approval. Eventually, this will be reimbursed eighty-percent through InDOT.
John Suarez moved approval of agreement between the City of Fort Wayne and Rita Ann Gabriel and Associates, Inc., to provide professional services for the

advance review appraisal of improvements to St. Joseph Center Road. Motion carried. Copy to be placed on file in vault. Notice to Proceed to be sent.

7. **IMPROVEMENT RESOLUTION #6938-03**, Miscellaneous Construction Package 2-A-03.
   Mario Trevino: This involves sidewalk and/or curb replacement (spot curb and walk repair). It may also affect drive approaches and restoration. The bid opening date is set for August 13. The completion date is scheduled for October 15.
   John Suarez moved approval of Improvement Resolution #6938-03. Motion carried. Copy to be herein incorporated.

8. **IMPROVEMENT RESOLUTION #6965-03**, East Maple Grove: Werling Drive to Hessen Cassel Road.
   Mario Trevino: This project is in the 6th District. The limits of the project begin at Werling Drive and the project travels east to Hessen Cassel Road. The scope of work involves new curbs, underdrains, and curb-base walk. The bid opening is scheduled for August 20 and the completion date is expected November 1.
   John Suarez moved approval of Improvement Resolution #6965-03. Motion carried. Copy to be herein incorporated.

9. Approval of recommendation from Engineering Support Services to accept work performed by Geiger Excavating for Improvement Resolution #670-2002, Independence Drive Interceptor Sewer, as an integral part of the City's sanitary sewer system.
   John Suarez moved approval of Improvement Resolution #670-2002. Motion carried. Letter of Acceptance to be sent.

10. Approval of recommendation from Engineering Support Services to accept work performed by T-E, Inc. for Improvement Resolution #2003-S-16, Union Chapel Road-Sordelet Sanitary Extension, as an integral part of the City's sanitary sewer system.
    John Suarez moved approval of Improvement Resolution #2003-S-16. Motion carried. Letter of Acceptance to be sent.

11. Approval of recommendation from Engineering Support Services to accept work performed by Kurtz Excavating for Improvement Resolution #2003-S-11, Oak Glen IV - Sanitary, as an integral part of the City's sanitary sewer system.
    John Suarez moved approval of Improvement Resolution #2003-S-11. Motion carried. Letter of Acceptance to be sent.

12. Approval of Encroachment Agreement between the City of Fort Wayne and Gary L. & Sandra L. Adam.

13. Approval of Encroachment Agreement between the City of Fort Wayne and Mark P. Shambaugh.

14. Approval of Encroachment Agreement between the City of Fort Wayne and Morrill Motors, Inc.

15. Approval of Encroachment Agreement between the City of Fort Wayne and Donald H. & Mary E. Elbrecht.

16. Approval of Encroachment Agreement between the City of Fort Wayne and Northrop Holdings.

Mary-Jane Slaton. Items 12 through 15 are encroachment agreements that we are entering with property owners as part of the acquisition of easements for Lima Road for a water main replacement project. Primarily, these are all commercial properties. The encroachments involve signage on the properties. We are willing (as part of our easement acquisition) to allow these signs to either remain or be removed during our project and then replaced; so that they continue to remain as encroachments into our easement. The engineer on the project has reviewed those and does not see that they will interfere with the water main we are proposing to build along Lima Road.
John Suarez moved approval of items 12 through 16. Motion carried.

17. Approval of Construction Contract #2003-S-15 between the City of Fort Wayne and Canyons Point, LLC, for Canyons of North Pointe Woods Section II. This project is privately funded, located inside the City of Fort Wayne, and is in a green zone.
Jack Suter: The subdivision is 26 lots on 12 acres and the construction contract calls for the installation of 1,450 feet of new sanitary sewers.
John Suarez moved approval of Contract #2003-S-15. Motion carried. Notice to proceed to be sent.

18. Approval of Construction Contract #2003-S-16 between the City of Fort Wayne and Marsh Supermarkets, LLC, for construction of a local sanitary sewer system to serve Marsh Plaza. This project is privately funded, located inside the City of Fort Wayne, and is in a green zone.
Jack Suter: One-thousand feet of new sewer line is needed to serve this new 16 acre shopping center.
John Suarez moved approval of Construction Contract #2003-S-16. Motion carried. Notice to proceed to be sent.

19. Approval of Change Order #6, received from R.E. Crosby for Fire Stations 15, 16, and 17, increasing the original contract amount by $33,438.95. The original contract amount was $3,779,500.00. The new contract price including this change order will be $3,862,734.45.
Dan Brenner: This is for rerouting of storm and water lines, and relocation of utility poles. These fire stations are now operational and we do not anticipate further change orders.
John Suarez moved approval of Change Order #6, received from R.E. Crosby for Fire Stations 15, 16, and 17, increasing the original contract amount by $33,438.95. Motion carried. Contract price to be increased.

20. Approval of Escrow Agreement for Resolution #90-245-20, West Central Neighborhood Association Improvements, in the amount of $10,000.00.
Ken Nicolet: This is in conjunction with 22 ornamental lights on West Jefferson between Garden Street and Van Buren.
John Suarez moved approval of Resolution #90-245-20. Motion carried. Escrow agreement to be sent to bank.

21. Approval of General Accounting in the amount of $5,631,070.76 for the week of July 30, 2003;
John Suarez moved approval of General Accounting in the amount of $5,631,070.76 for the week of July 30, 2003. Motion carried. Accounting claims to be sent to Finance Department.

22. Old Business.

23. New Business.

    i. Approval of Change Order #1 – Final, received from G.E. Minear for Resolution #6923-03, Miscellaneous Construction Package 5-A-03, increasing the original contract price by $134.06. The original contract price was $11,677.00. The new contract price including this change order will be $11,811.06.
    Mario Trevino: This is for additional quantities of topsoil.
    John Suarez moved approval of Change Order #6923-03. Motion carried. Contract price to be increased.

    ii. Approval of Change Order #1 – Final, received from Newell Construction for Resolution #6933-03, Oakhurst Addition Concrete Street Repairs, decreasing the original contract price by $1,229.37. The original contract price was $126,677.93. The new contract price including this change order will be $125,448.56.
    Mario Trevino: This project included items that were under and over the estimate. Those items that were under included topsoil and concrete. Items that were over included residential drives and compacted aggregate. The result is a decreased change order in the amount of $1,229.37.
    John Suarez moved approval of Change Order #1 – Final, received from Newell Construction for Resolution #6933-03. Motion carried. Contract price decreased.

iii. Approval of Emergency Resolution #90-246-23, authorizing the Purchasing Department to issue an emergency purchase order to repair a partially collapsed existing brick manhole on a combination sewer line located under the concrete alley behind 1703 Crescent Avenue.

Pat Callahan: With the recent heavy rains and floods, the sewers have been surcharging and we've had a whole rash of voids appear. Most of those are going to come out in a bid project for spot repairs. However, a couple of them and this one in particular, caused an emergency situation to be brought before the board as an emergency repair. In this particular instance, there is a very large void under a piece of concrete alley in the vicinity of an old brick manhole. The project will be to remove the alley to replace the manhole and rebuild the alley. It's dangerous enough that maintenance has called the garbage company and told them not to run trucks down the alley.

John Suarez moved approval of Emergency Resolution #90-246-23. Motion carried. Copy to be herein incorporated.

Meeting adjourned at 9:29 a.m.

jmb

not present

Robert P. Kennedy, Chairman

John Suarez, Member

Denise Porter-Ross, Member

ATTEST: Justin Brugger

Justin Brugger, Clerk

AUGUST 6, 2003

BOARD OF PUBLIC WORKS
ROOM 250—OMNI ROOM
MEETING HELD AT 9:00 A.M.

ROBERT P. KENNEDY, CHAIRMAN
JOHN SUAREZ, MEMBER
DENISE PORTER-ROSS, MEMBER

JUSTIN BRUGGER, CLERK

Present: Denise Porter-Ross, John Suarez, & Justin Brugger – Board of Public Works; Greg Meszaros – Director of Public Works and Utilities; David Ross - City Engineering; Chuck Bailey & Carl Wilson - Contract Compliance; Ron Sheppard – Engineering Support Services; Mary-Jane Slaton & Jack Suter - Development Services; Mark Gensic - Planning and Design Services; Mike Fruchey – Transportation Engineering Services; Ken Nicolet - Public Works Administration; Jim Howard – Purchasing Director. Absent: Robert P. Kennedy.

1. Approval of Board of Public Works Minutes of July 30, 2003.

   John Suarez moved approval of Board of Public Works Minutes of July 30, 2003. Motion carried. Minutes approved.

2. **AWARD:** Improvement Resolution #6956-03: Irene Avenue: Poinsette to Ethel, to Wayne Asphalt in the amount of $240,970.80. Prior approval has been requested. Contract Compliance concurs with this award.

   John Suarez moved approval of award for Improvement Resolution #6956-03: Irene Avenue: Poinsette to Ethel, to Wayne Asphalt in the amount of $240,970.80. Motion carried. Notice of award to be sent. Transportation Engineering Services to prepare contracts.

3. **AWARD:** Improvement Resolution #1116-03, Northwest Pump Station #2 and Water Mains Phase I to Scheidleman Excavating in the amount of $333,590.14. Contract Compliance concurs with this award.

   John Suarez moved approval of award for Improvement Resolution #1116-03, Northwest Pump Station #2 and Water Mains Phase I to Scheidleman Excavating in the amount of $333,590.14. Motion carried. Notice of award to be sent. Engineering Support Services to prepare contracts.

4. **IMPROVEMENT RESOLUTION** #6966-03, Miscellaneous Construction Package 5-B-03.

   Mike Fruchey: This project involves six general areas located within the Fifth District. This project will involve curb, sidewalk, driveway, alley, and

curb ramp construction. We expect to advertise this project August 8, with a bid opening date of August 20 and a completion date of October 15.

John Suarez moved approval of Improvement Resolution #6966-03. Motion carried. Copy to be herein incorporated.

5. Approval of Street Light Resolution #288-03, West Jefferson Boulevard (Garden Street to Van Buren Street) Street Light Improvement. This project is funded by CEDIT Neighborhood funds, West Central Neighborhood Association Funds, and Block Grant Funds.

   John Suarez moved approval of Resolution #288-03. Motion carried. Copy to be herein incorporated.

6. Approval of Construction Contract #6958-03, Public Sidewalk Curb Ramps – 2003 Pkg. – 1, between the City of Fort Wayne and Hipskind Concrete in the amount of $164,294.50.

   John Suarez moved approval of Construction Contract #6958-03. Motion carried. Notice to proceed to be sent.

7. Approval of Construction Contract #03-04, Restoration of Water Maintenance Utility Cuts, between the City of Fort Wayne and Robbco, Inc., in the amount of $181,601.30.

   John Suarez moved approval of Construction Contract #03-04. Motion carried. Notice to proceed to be sent.

8. Approval of Construction Contract #1579-03, St. Joe Dam Repairs Phase 1 – 2003 between the City of Fort Wayne and Primco, Inc., in the amount of $123,500.37.

   John Suarez moved approval of Construction Contract #1579-03. Motion carried. Notice to proceed to be sent.

9. Approval of Construction Contract #1514-03, Camp Scott Wetlands IIIB, between the City of Fort Wayne and Phend & Brown, Inc., in the amount of $1,177,366.10.

   John Suarez moved approval of Construction Contract #1514-03. Motion carried. Notice to proceed to be sent.

10. Approval of Change Order #1- Final received from Key Concrete, Inc., for Improvement Resolution #6959-03 for Old Trail Neighborhood Spot Walk Repairs, increasing the original contract amount by $696.88. The original contract price was $17,725.00. The new contract price including this change order will be $18,421.88.

    Mike Fruchey: This change order includes additional walk that was needed and changes in final quantities.

    John Suarez moved approval of Change Order #1 – Final for Improvement Resolution #6959-03. Motion carried. Contract price increased.

11. Approval of Change Order #1 – Final received from Hipskind Concrete, for Improvement Resolution #6925-03, Monroe Street: 1100 Block, increasing the original contract price by $1,132.88. The original contract price was $70,019.70. The new contract price including this change order will be $71,152.58.

Mike Fruchey: This reflects final quantity adjustments.

John Suarez moved approval of Change Order #1 – Final for Improvement Resolution #6925-03. Motion carried. Contract price increased.

12. Approval of Change Order #4 received from Wayne Asphalt for Improvement Resolution #6914-03, Harrison Street South: Rudisill Boulevard to Killea, increasing the original contract price by $4,845.00. The original contract price was $161,762.00. The new contract price including this change order will be $192,058.00.

Dave Ross: This project is substantially completed. This project was primarily a resurfacing project that developed into a curb and driveway approach reconstruction. When we were removing the curbs, there were a lot of trees in a very narrow parkstrip. We worked with the neighborhood to have some trees removed from the parkstrip. This change order is to fertilize the remaining trees until they get stronger.

John Suarez moved approval of Change Order #4 for Improvement Resolution #6914-03. Motion carried. Contract price to be increased.

13. Approval of Professional Services Agreement between the City of Fort Wayne and Bonar Group for construction, engineering, and inspection of improvements to the West Jefferson Boulevard Trail. Proposed services include a Resident Project Representative (Construction Manager) and inspectors. Compensation for services performed shall not exceed $63,497.41. City Engineering recommends approval.

Dave Ross: This project is a federal aid project and is the second phase of the improvements along Jefferson Boulevard. It adds a pedestrian recreational trail on the north side. The Indiana Department of Transportation plans to bid this in September. Eighty percent of the project is funded with Federal money, while the remaining 20% will be funded through CEDIT.

John Suarez moved approval of agreement not to exceed $63,497.41. Motion carried. Copy to be placed on file in vault. Notice to proceed to be sent.

14. Approval of Professional Services Agreement between the City of Fort Wayne and Hofer & Davis, Inc., for right-of-way engineering improvements to Congressional Parkway. Proposed services include legal descriptions, plat drawings, and staking for two parcels. Compensation for services shall be a lump sum of $1,100.00 funded through the CEDIT Account. City Engineering recommends approval.

Dave Ross: This project was initiated by the Division of Community and Economic Development. It is for improvements in an industrial park, widening cement concrete pavement to accommodate large commercial vehicles and improve the approach at Goshen Road to allow turning movements.

John Suarez moved approval of Professional Services Agreement between the City of Fort Wayne and Hofer & Davis, Inc., for right-of-way engineering improvements to Congressional Parkway. Motion carried. Copy to be placed on file in vault. Notice to proceed to be sent.

15. Approval of Professional Services Agreement between the City of Fort Wayne and USI-Indiana, Inc. for the design of Elyetta, Henrietta, & Strathmore – Water Main Replacement in the amount of $41,100.00.

Mark Gensic: These are areas of our water main system that have rusty water and main breaks. It is about 4,300 feet of six inch. We would like to get it designed now so we can bid it this winter and built next construction season.

John Suarez moved approval of Professional Services Agreement between the City of Fort Wayne and USI-Indiana, Inc. for the design of Elyetta, Henrietta, & Strathmore – Water Main Replacement.

16. Approval of Professional Services agreement between the City of Fort Wayne and Lowell Griffin Real Estate for appraisal and buying services for three easements needed for the relocation of utilities associated with improvements to US Highway 33 (Goshen Road) in the amount of $5,625.00.

Mary-Jane Slaton: The state is doing improvements to Highway 33. As a result, we must move utilities out of the right of way. In order to do that, we need to acquire three easements. This agreement will provide for the appraisal and buying services of these three easements.

John Suarez moved approval of agreement between the City of Fort Wayne and Lowell Griffin Real Estate. Motion carried. Copy to be placed on file in vault. Notice to proceed to be sent.

17. Approval of Professional Services Agreement between the City of Fort Wayne and CrossRoad Engineers, PC, for the design of Indian Village Phase 2 – Water Main Replacement in the amount of $45,800.00.

Mark Gensic: This part of the distribution system has had several rusty water complaints and main breaks.

John Suarez moved for approval of Professional Services Agreement between the City of Fort Wayne and CrossRoad Engineers, PC. Motion carried. Copy to be placed on file in vault. Notice to proceed to be sent.

18. Approval of Professional Services Agreement between the City of Fort Wayne and Dennis Kim & Associates for door and window reinforcements. The Not to Exceed fee for this contract is $1,500.00.

Mark Gensic: This is a small improvement project at the Water Filtration Plant. The plant is masonry and Mr. Kim has a lot of experience with masonry restoration.

John Suarez moved approval not to exceed $1,500.00. Motion carried. Copy to be placed on file in vault. Notice to proceed to be sent.

19. Approval of Water Contract #2003-W-12 between the City of Fort Wayne and Canyons Pointe, LLC, for Canyons of North Pointe Woods Section II. This project is privately funded and located inside the City of Fort Wayne.

Jack Suter: This will serve 25 lots between Leo Road and the St. Joseph River.

John Suarez moved approval of Water Contract #2003-W-12. Motion carried. Notice to proceed to be sent.

20. Approval of Sanitary Sewer Contract #2003-S-17 between the City of Fort Wayne and Maysville Park Development, LLC, for Brickshire Village Section I. This project is privately funded, located inside the City of Fort Wayne, and is in a green zone.

Jack Suter: There are 47 single-family residential lots in this development, which is located on the west side of Maysville Road.

John Suarez moved approval of Sewer Contract #2003-S-17.

21. Approval of recommendation from Engineering Support Services to accept work performed by Earth Construction, Inc., for Improvement Resolution #666-02, Sheridan Road Sanitary Sewer Extension, as an integral part of the City's sanitary sewer system.

John Suarez moved approval of Resolution #666-02. Motion carried. Copy to be herein incorporated.

22. Approval of recommendation from Engineering Support Services to accept work performed by Scheidleman Excavating for Sanitary Sewer Contract #2003-S-02, as an integral part of the City's sanitary sewer system.

John Suarez moved approval of recommendation from Engineering Support Services to accept work performed by Scheidleman Excavating for Sanitary Sewer Contract #2003-S-02, as an integral part of the City's sanitary sewer system.

23. Approval of recommendation from Engineering Support Services to accept work performed by Bunn Excavating for Contract #2002-W-23, as an integral part of the City's water system.

John Suarez moved approval of recommendation from Engineering Support Services to accept work performed by Bunn Excavating for Contract #2002-W-23, as an integral part of the City's water system.

24. Approval of Resolution #90-251-24 naming the City of Fort Wayne as the designated management agency for receipt of State Revolving Fund (SRF) Financial Assistance Award (funding) for loan application to IDEM for the WPCP Primary Clarifiers and Other Plant Upgrades project.

Mark Gensic: The next three items involve the Water Pollution Control Plant on Dwenger Avenue. Currently, we have an $19 million construction project going on at the plant with the headworks. The next large project will be replacement of the 1940's and 1960's primary tanks. These next three resolutions involve the administrative paperwork for the City of Fort Wayne Sanitary Utility applying for a State Revolving Fund (SRF) loan in order to fund these future improvements. The first is to approve the City of Fort Wayne as the designated management agency for the SRF. The second accepts the preliminary engineering report that we had a public hearing on in July. The third will authorize Greg Meszaros, Al Moll, and myself, as official signatories for that SRF application.

John Suarez moved approval of items 24, 25, and 26. Motion carried. Copies to be herein incorporated.

25. Approval of Resolution #90-251-25 accepting the Preliminary Engineering Report (PER) prepared by Donahue & Associates for loan application to IDEM for the WPCP Primary Clarifiers and Other Plant Upgrades project.

26. Approval of Resolution #90-251-26 authorizing Greg Meszaros, Mark Gensic, and Alvin R. Moll, Jr., as official signatories for SRF loan application information, data, and documents as may be required during the loan process and repayment.

27. Approval of Assessment Role for Improvement Resolution #6923-03, Miscellaneous Construction Package 5-A-03, Property Owners have waived their right to a public hearing.

John Suarez moved approval of Resolution #6923-03. Motion carried. Copy to be herein incorporated.

28. Approval of Barrett Law Claims in the amount of $4,225.10.

Motion carried. Claims to be sent to Finance Department.

29. Approval of General Accounting in the amount of $4,530,093.92 for the week of August 6, 2003.

Motion carried. Claims to be sent to Finance Department

30. Old Business.

31. New Business.

i. Approval of Sanitary Sewer Contract #2003-S-18, 5147 Stellhorn Road – Trinity Duplex, between the City of Fort Wayne and Neal E. Exner. This project is privately funded, located inside the City of Fort Wayne, and is in a green zone.

Jack Suter: This is a short 105-foot sewer line being built so that the contributor can build a duplex on this site.

John Suarez moved approval of Sewer Contract #2003-S-18. Motion carried. Notice to proceed to be sent.

ii. Approval of write-off of City Utilities' Delinquent Revenue Accounts for the month of May 2003 in the amount of $45,503.93.

John Suarez moved approval of write-off of City Utilities' Delinquent Revenue Accounts for the month of May 2003 in the amount of $45,503.93. Motion carried. Copy to be sent to City Utilities' Accounting Department.

iii. Approval of recommendation from Engineering Support Services to accept the work performed by Wallick Construction Co., for Sanitary Sewer Contract #2002-S-36, Phoenix Manor Sanitary as an integral part of the City's sanitary sewer system.

John Suarez moved approval of Contract #2002-S-36. Motion carried. Notice to proceed to be sent.

iv. Approval of Resolution #90-251-30 of the Board of Public Works of the City of Fort Wayne, Indiana, continuing remonstrance on valuation, as detailed in resolution 90-188-1, concerning the appropriation and condemnation of real property in support of construction of the Neuhaus Phase II Interceptor Sewer Project.

Jim Howard: It is necessary to acquire an easement owned by the Schenkel's to accomplish this project. One appraisal has been done by the City valuating the assessed damage to the property owners at $10,800.00. When the Schenkel's were initially offered that amount, the rejected. Therefore, the Board entered into a condemnation resolution on April 30, 2003. A hearing was conducted on the condemnation and the Board affirmed the condemnation of the property. This board also had a hearing, which was noticed on the valuation of the property and affirmed the damages on June 11, 2003 with a subsequent resolution. On July 3, the property owners filed a complaint with the Allen Circuit Court alleging that they had not received adequate notice on the valuation remonstrance hearing; and the issue was they thought they should have been served with at least ten days notice before that hearing. We recommended that another remonstrance valuation hearing be scheduled just to cut that issue out of the picture instead of wasting time in Circuit Court, and get their issues about damages out on the table. I think, after exploring this, that there may be a couple of issues that deserve a little exploration. So, we asked the court to set another remonstrance hearing, which was today's date to cure that defect. I talked with the Schenkels' attorney, and he indicated that he had not seen the appraisal. I thought it was only fair that he gets a copy of it and chance to analyze what we have put on paper as an appraisal. Also, we have ordered a second appraisal, which we are in the process of doing.

With this in mind, I recommend that this be set out until August 27 at 10 a.m. With regards to notice, I will provide notice directly to the Schenkels' attorney of record. He has advised me that he will moved to dismiss the action in Allen County Circuit Court. Hopefully we can get this information all together and come to some resolution of this.

John Suarez moved approval of Resolution #90-251-30. Motion carried. Copy to be herein incorporated.

v. Approval of Release of Escrow received from Geiger Excavating for Resolution #592-99, Southgate Plaza Storm Sewer Phase II, in the amount of $10,000.00. The escrow agent is Tower Bank.

John Suarez moved approval of Release of Escrow received from Geiger Excavating for Resolution #592-99. Motion carried. Release of Escrow to be sent to bank.

Meeting adjourned at 9:40 a.m.

jmb.
NOT PRESENT AT 08-06 MEETING
Robert P. Kennedy, Chairman

John Suarez, Member

Denise Porter-Ross, Member

ATTEST: _____
Justin Brugger, Clerk

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BOARD OF PUBLIC WORKS MINUTES
AUGUST 13, 2003

BOARD OF PUBLIC WORKS
ROOM 250 – OMNI ROOM
MEETING HELD AT 9:00 AM

ROBERT P. KENNEDY, CHAIRMAN
JOHN SUAREZ, MEMBER
DENISE PORTER-ROSS, MEMBER

JUSTIN BRUGGER, CLERK

Present: All Members & Clerk; Greg Meszaros - Director of Public Works and Utilities; David Ross - City Engineering; Chuck Bailey & Carl Wilson - Contract Compliance; Jack Suter & Nancy Townsend - Development Services; Nathan Baggett, Pat Callahan, & Bill Maxwell - Planning and Design Services; Dan Brenner – Property Management; John Perlich – Public Information Officer; Mike Fruchey – Transportation Engineering Services; Ken Nicolet – Public Works Administration.

1. **RECEIVE BIDS:** Improvement Resolution #584-1998: Bob Arnold/Northside Park Area Storm Sewers – Contract A-2.

BIDDERS	BASE BID
Bunn, Inc.	**$994,934.60**
Fleming Excavating	$1,139,048.65
Land, Inc.	$1,047,965.00
Engineer's Estimate	**$1,226,578.00**

Engineering Support Services to tabulate and report.

2. **RECEIVE BIDS:** Improvement Resolution #1586-03: Fort Wayne Airport: Keller Road/Perimeter Drive – Water Main Replacement.

BIDDERS	BASE BID	ALTERNATE BID
Bercot, Inc.	$297,894.00	$46,891.00
Crosby Excavating	$216,768.60	$33,555.25
Land Construction	**$202,540.00**	**$31,840.00**
Miller Pipeline	$299,901.00	$54,872.50
Reinhart's Excavating	$266,262.00	$37,700.00
Engineer's Estimate	**$280,000.00**	**$37,000.00**

Engineering Support Services to tabulate and report.

3. **RECEIVE BIDS:** Improvement Resolution #1591-03: General Cured-in-Place 2003 Sewer Rehabilitation.

BIDDERS	BASE BID
American Water Services	$2,411,153.00
Environmental Pipeliners	$2,261,688.00
Insituform	**$1,889,440.00**
Reynolds Inliner	$1,895,192.00
Engineer's Estimate	**$1,741,305.60**

Engineering Support Services to tabulate and report.

4. **RECEIVE BIDS:** Improvement Resolution #6938-03: Miscellaneous Construction Package 2-A-03.

BIDDERS	BASE BID
Key Concrete, Inc.	**$12,211.00**
Primco, Inc.	$16,779.12
Widner Paving	$12,962.00
Engineer's Estimate	**$13,291.50**

Transportation Engineering Services to tabulate and report.

5. Approval of Board of Public Works Minutes of August 6, 2003.

John Suarez moved approval. Motion carried. Minutes approved.

6. Approval of request from the Property Management Department to approve the City-County Building Lease between the City of Fort Wayne and the Allen County Board of Commissioners.

Dan Brenner: This lease will replace the current month-to-month arrangement between the City and the County. The terms of the lease are based on information contained in a study done by the architectural firm of Martin, Riley, Mock. The lease runs from July 1, 2003 to December 31, 2006. The City will be leasing 119,064 ft^2, consisting of office space, common area, and storage space. The lease rate for the office space and common area will be $9.42 per square foot. The lease space for the storage area will be $4.00 per square foot.

Denise Porter-Ross moved approval. Motion carried. Lease to be sent to County Commissioners for approval.

7. Approval of Construction Contract #6956-03 between the City of Fort Wayne and Wayne Asphalt for Irene Avenue: Poinsette to Ethel, in the amount of $240,970.80.

John Suarez moved approval. Motion carried. Notice to proceed to be sent.

8. Approval of Construction Contract #6961-03 between the City of Fort Wayne and Key Concrete for Woodhurst Addition: Fairfax, Old Mill Road, and Century Ct. in the amount of $61,370.00.

Denise Porter-Ross moved approval. Motion carried. Notice to proceed to be sent.

9. Approval of Change Order #1 – Final, received from E&B Paving for Improvement Resolution #6918-03, Resurfacing Package 1 – 2003, decreasing the original contract price by $24,371.71. The original contract price was $585,290.50. The new contract price including this change order will be $$560,918.79.

   Mike Fruchey: This change order rectifies final quantities. We did not use all the paving material that we had originally projected.

   John Suarez moved approval. Motion carried. Contract price to be decreased.

10. **IMPROVEMENT RESOLUTION #6967-03**, Public Sidewalk Curb Ramp Packages 3 & 4 – 2003.

    Mike Fruchey: These curb ramps are in the Third and Fourth Council Districts. The project will involve curb, sidewalk, and curbramp construction. We expect to advertise Friday, August 15, open bids on August 27, and complete construction November 15.

    Denise Porter-Ross moved approval. Motion carried. Copy to be herein incorporated.

11. Approval of agreement between the City of Fort Wayne and DLZ – Indiana, LLC, to provide professional services for the construction engineering and inspection of improvements to the Ardmore Avenue Extension. Proposed services include construction management, inspection, and a resident project representative. Compensation for services performed shall not exceed $681,625.52. City Engineering recommends approval.

    David Ross: This project is the ongoing extension of a new roadway from Lower Huntington Road to the airport. We are into the right-of-way acquisition phase and hopefully, will bid this project very late this year or early next year to start construction in 2004. Eighty-percent of this project is aided with Federal money, while 20% is funded locally.

    John Suarez moved approval. Motion carried. Notice to proceed to be sent.

12. Approval of Amendment No. 3 to the Professional Services Agreement between the City of Fort Wayne and Paul I. Cripe, Inc. for professional engineering services related to the Rudisill Subbasin West End Partial Sewer Separation Project. The cost of the additional work shall not exceed $8,640.00 and will be paid for from Sewer Utility Revenues. Planning and Design Services recommends approval.

    Pat Callahan: We had a few changes where the scope of work was not clearly defined and we had some unanticipated work. The changes had to do with pavement restoration requirements, inlet layout, and redesign to avoid some water lines.

    Denise Porter-Ross moved approval. Motion carried. Copy to be herein incorporated.

13. Approval of Resolution #90-261-13 authorizing the establishment of cumulative funds to collect specific sewer charges.

Greg Meszaros: (Addressing items 13, 14, and 19). We have been in the process of constructing large water and sewer assets to serve the Bass Road corridor, east and west of I-69, for the past two years. Particularly on the sewer side, between Phase I and Phase II work of our sewer, we will put have put over four miles of large interceptor sewer in the ground serving many thousands of homes today and into the future. These transactions today are the continuing of that effort to provide sewer and water service to this area. It is a combination of enabling legislation and other transactions for collecting additional revenue to pay for these sewers and the actual financial agreements with some of the land developers to construct and pay back the sewers.

Item #13, is legislation that would enable the Board to consider capital surcharges as an additional financing instrument to pay for large sewer investments. Capital surcharges are somewhat of a new concept. We have collected them in the past for the purchase of some assets from utilities in the eighties. However, we haven't had them for a while. They are intended to diversify our funding stream to pay for large new sewers in developing areas. This would apply only to new customers connecting to these sewers in the new area. It is a protective mechanism to ensure that new development pays for new development and we do not place the burden of new development on our existing customers. Any actual setting-up of a capital surcharge would come back to the Board and we would propose one soon for our Neuhaus area; it would also require City Council approval. This is just the enabling legislation that says the Board would consider these type of surcharges in the future.

Item #14 establishes the Neuhaus Sanitary Cumulative Fund. This resolution will establish the Board's authority to collect either from area connection fees, which are usually fees paid up front by land developers; or monthly capital surcharge fees, which would be the fees I just described that would be for new users connecting to those sewers. Anywhere in the Bass Road Service Area, both east and west of I-69, and north of California Road, the Board would establish a cumulative fund -- that should we get area connection fees and/or capital surcharges, they would go into this cumulative fund for paying off the various investments that the Board and land developers have made in the very large offsite sewers that serve this area. This resolution simply establishes that cumulative fund.

Item #19 is the actual mechanics in the contract for the construction, paying back, and establishment of area connection fees and capital surcharges for the Phase II Neuhaus Sewer. This was about a total of a $2.1 million sewer. It was a partnership between a land development investor group (the Bass Road Investor Group) and the Board of Public Works and its utilities through a process of easement acquisition, design, and construction of the sewer. The sewer is still under construction, but this is the financial arrangement of how we would pay back to pay the sewer that the Board pledges to set up area connection fees and capital surcharges as we described. This would also go to City Council for their approval. Again, we have been working on this and feel it is a good investment in

a growing market for us. We are highly competitive with AquaSource; and we believe that through area connection fees and capital surcharges that all of these investments will be paid by the new users of the system so we keep our ratepayers whole, grow our rate base, and continue to try to capture the growth in the community. This is similar to several other large investor transactions the Board has approved for Neuhaus Phase I of the North Maumee East Area and several others.

John Suarez moved approval of items 13, 14, and 19. Motion carried. Copies to be herein incorporated.

14. Approval of Resolution #90-261-14 establishing the Neuhaus Sanitary Sewer Cumulative Fund.

See item 13.

15. Approval of Contract #1607-03, Finished Water Capacity Development – Vacated Spy Run Mobile Home Park, between the City of Fort Wayne and Martin Service Systems in the amount of $14,177.00.

Denise Porter-Ross moved approval. Motion carried. Notice to Proceed to be sent.

16. Approval of recommendation from Engineering Support services to accept the work performed by Kurtz Excavating, Inc., for Contract #2003-W-06, Hawthorne Park Section IV - Water, as an integral part of the City's water distribution system.

John Suarez moved approval. Motion carried. Letter of acceptance to be sent.

17. Approval of recommendation from Engineering Support Services to accept the work performed by Kurtz Excavating, Inc., for Sewer Contract #2002-S-49, Sorrento Section II, as an integral part of the City's sanitary sewer system.

Denise Porter-Ross moved approval. Motion carried. Letter of acceptance to be sent.

18. Approval of recommendation Engineering Support Services to accept the work performed by Kurtz Excavating for Contract #2003-S-07, Hawthorne Park Section IV – Sanitary, as an integral part of the City's sanitary sewer system.

John Suarez moved approval. Motion carried. Letter of acceptance to be sent.

19. Approval of Sewer Contract #2003-S-19 between the City of Fort Wayne and Bass Road Investment Group for: construction of the Phase II extension of the Neuhaus sanitary sewer main into Washington and Lake Townships; and, authorization of the establishment of an area connection fee and capital surcharge fees.

See item 13.

20. Approval of secondary subdivision plat for Kensington Downs East – Section IV, consisting of 38 residential lots on 18.34 acres. This plat has been reviewed by the Development Plan Committee, and all reviewing departments or agencies have approved.

Denise Porter Ross moved approval. Motion carried. Plat to be sent to Subdivision Plan Committee.

21. Approval of Professional Services Agreement between Fort Wayne City Utilities and Paul I. Cripe, Inc., for engineering and design services for a stormwater drainage improvement and a sanitary sewer extension. The agreement is not-to-exceed $69,436.00, and will be funded through the Sanitary Sewer Utility and the Stormwater Utility.

    Nancy Townsend: This is a professional services agreement to provide surveying, engineering, and final plan preparation for stormsewer installation and sanitary sewer extension for properties located on South Monroe Street. The property owners, primarily business owners, in the area have been requesting storm drainage improvements for a couple of years. They have some quite chronic and significant standing water problems on their properties and on the street. We have been able to further develop a drainage strategy with the completion of a capacity improvement program, which installed a large diameter storm sewer along Pettit. The property owners have also petitioned the City requesting sanitary sewer extension. They don't have access to sewer right now. They did submit a petition and are willing to pay their share of the cost of sanitary sewer. What this agreement does, initially, regarding sanitary sewer, is provide us with route alternatives; and then, we also have the ability to have the consultant move forward with sanitary sewer plans if it makes sense financially and otherwise. The agreement includes over $11,500.00 in optional services that we are not sure that we will need. For basic engineering services, it is just under $58,000.00. Sixty-eight percent of that is for the storm sewer portion and a third of it is for the sanitary sewer portion. This agreement is also going before the Board of Stormwater Management for approval as well. The plans for the stormsewer could be completed within the next couple of months, potentially being bid by the end of this year.

    John Suarez moved approval. Motion carried. Notice to proceed to be sent.

22. Approval of Barrett Law Claims in the amount of $62,775.53;

    Denise Porter-Ross moved approval. Motion carried. Copy to be sent to Finance Department.

23. Approval of General Accounting in the amount of $5,549,823.50 for the week of August 6, 2003.

    John Suarez moved approval. Motion carried. Copy to be sent to Finance Department.

24. Old Business.

25. New Business.

    i. Approval of Change Order #6 – Final, received from Brooks Construction Company, Inc., for Resolution #6804-01, West Jefferson Boulevard – Viaduct to St. Mary's River, increasing the contract price by $27,521.64. The original contract price was $1,276,716.77. The new contract price including this change order will be $1,475,939.00.

Dave Ross: This project was substantially completed last year, around the end of October. It was held open because of a driveway approach that was too steep to accommodate vehicles using the adjacent business. In the meantime, we did discover a pavement failure resulting from bad subsoils. That was also repaired this spring. The majority of this change order is to balance the quantities on what was actually constructed. The two big items added onto the change order were storm drainage and the driveway reconstruction and pavement patching that amounted to be about $29,000.00 of the increased change order.

Denise Porter-Ross moved approval. Motion carried. Contract price increased.

ii. Approval of recommendation from Engineering Support Services to accept the work performed by Geiger Developing, Inc., for Maumee Emergency Sewer Repair.

John Suarez moved approval. Motion carried. Letter of Acceptance to be sent.

Meeting adjourned at 9:32 a.m.

Robert P. Kennedy, Chairman

John Suarez, Member

Denise Porter-Ross, Member

ATTEST: _____
Justin Brugger, Clerk

BOARD OF STORMWATER MANAGEMENT MINUTES
AUGUST 13, 2003

BOARD OF STORMWATER MANAGEMENT
ROOM 250 – OMNI ROOM
MEETING HELD AT 9:35 AM

GREG MESZAROS, CHAIRMAN
JOHN SUAREZ, MEMBER
DENISE PORTER-ROSS, MEMBER

JUSTIN BRUGGER, CLERK

PRESENT: All Members & Clerk. Bob Kennedy, Associate Director of Public Works and Utilities; Chuck Bailey – Contract Compliance; Mark Gensic – Planning and Design Services; Ken Nicolet – Public Works Administration; Jack Suter – Development Services; Bill Maxwell – Planning and Design Services; John Perlich – Public Information Officer.

1. Approval of Board of Stormwater Management Minutes of August 6, 2003.
   John Suarez moved approval. Motion carried. Minutes approved.

2. Approval of Professional Services Agreement between Fort Wayne City Utilities and Paul I. Cripe, Inc., for engineering and design services for a stormwater drainage improvement and a sanitary sewer extension. The agreement is not-to-exceed $69,436.00, and will be funded through the Sanitary Sewer Utility and the Stormwater Utility.
   Denise Porter-Ross moved approval. Motion carried. Notice to proceed to be sent.

3. Approval of Storm Sewer Contract #2003-ST-07 between the City of Fort Wayne and Paragon Land Development, LLC, for Sutters Cove.
   Jack Suter: This subdivision is on the south side of Till Road between Coldwater Road and Lima Road. We have already approved some other utilities there and this is for the stormwater utility. It includes 5,000 feet of new storm sewers that the City would accept upon completion and inspection.
   John Suarez moved approval. Motion carried. Notice to proceed to be sent.

4. **IMPROVEMENT RESOLUTION #1625-03**, Goeglein Road at Trier Road Drainage Improvement, approving spot drainage improvements at the Goeglein Road/Trier Road intersection, an area with chronic reoccurring drainage problems. The improvement is to be performed by outside contractor at lump sum cost of $74,868.00. Development Services recommends approval.
   Nancy Townsend: We developed this project in response to a rather chronic, reoccurring drainage problem. It frequently floods out the intersection, tops the roads, and floods a private property and gets into the basement of the house. It is an area where the Water Pollution Control Maintenance Department has to go out frequently when we get the heavy rains and actually pump the water down. There is an existing drainage system there, a field tile system that is completely crushed.

Maintenance has tried to do spot digs/spot improvements on it, but every time we've dug it up it has been crushed. So, utilizing that existing system does not make sense at all. Plus, it meanders through private property. We developed this project in response to that – the frequent calls for maintenance and the hazards to traffic traveling in that area. It involves the extension of 1,100 feet of 15 to 24 inch pipe and six inlets in the area. It is a very straightforward project; there is a ditch just south of there that will pick up the drainage in the intersection and take it to the corners of the ditch. The cost of this project is a little bit higher, normally, than our other types of projects; but the ground conditions out there are very bad. There is a high water table. We've experienced with our other utility projects what's happened out there, and I think that's reflected in the quotes we've received from contractors who are very familiar with the area. They actually did spot digs just to see what level the water was at and how much they had to deal with. Bercot was the low bidder on this project. Construction will begin September 2, with substantial completion by the end of the month.
Denise Porter-Ross moved approval. Motion carried. Copy to be herein incorporated.

5. Old Business.

6. New Business.

Meeting adjourned at 9:44 a.m.

Greg Meszaros, Chairman

John Suarez, Member

Denise Porter-Ross, Member

ATTEST: _____
Justin Brugger, Clerk

BOARD OF PUBLIC WORKS
ROOM 250—OMNI ROOM
MEETING HELD AT 9:00 A.M.

ROBERT P. KENNEDY, CHAIRMAN
JOHN SUAREZ, MEMBER
DENISE PORTER-ROSS, MEMBER
JUSTIN BRUGGER, CLERK

Present: All Members and Clerk. Greg Meszaros, Director of Public Works and Utilities; Chuck Bailey and Carl Wilson, Contract Compliance; Larry Walter, Parks and Recreation; Mike Hicks and Ted Nitza, Planning and Design Services; Kristine Degabriele, Associate City Attorney; Dan Brenner, Property Manger; Mario Trevino, Transportation Engineering Services; Jack Suter and Tom Pallone, Development Services; Ken Nicolet, Public Works Administration.

1. **RECEIVE BIDS: Resolution #289-03: Crescent Avenue (E. Coliseum Blvd. to Hobson Road) Street Light Improvement.**

BIDDERS	BASE BID
Lights & Signals, Inc.	**$23,639.00**
Robert Henry Corp.	$31,565.00
Engineers Estimate	**$52,746.00**

Street Light Engineering to tabulate and report.

2. **RECEIVE BIDS: Resolution #6965-03: East Maple Grove: Werling Drive to Hessen Cassel Road.**

BIDDERS	BASE BID
Brooks Construction Co., Inc.	$125,014.75
Hipskind Concrete	$119,467.50
Key Concrete, Inc.	**$97,800.00**
Primco, Inc.	$99,607.47
Widner Paving	$98,678.75
Engineers Estimate	**$99,700.00**

Transportation Engineering Services to tabulate and report.

3. **RECEIVE BIDS: Resolution #6966-03: Miscellaneous Construction Package 5-B-03.**

BIDDERS	BASE BID
Hipskind Concrete	$26,766.00
Key Concrete, Inc.	**$22,309.00**
Widner Paving	$25,111.50
Engineers Estimate	**$25,245.00**

Transportation Engineering Services to tabulate and report.

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4. AWARD: Improvement Resolution #6938-03, Miscellaneous Construction Package 2-A-03, to Key Concrete in the amount of $12,211.00. Contract Compliance concurs with this award.

   John Suarez moved approval. Motion carried. Notice of award to be sent.

5. AWARD: Improvement Resolution #1536-03, Fort Wayne Airport: Keller Road – Perimeter Drive Water Main Replacement, base and alternate bids, to Land Construction in the amounts of $202,540.00 and $31,840.00, respectively. Contract Compliance concurs with this award.

   Denise Porter-Ross moved approval. Motion carried. Notice of award to be sent.

6. **AWARD:** Improvement Resolution #584-98, Bob Arnold/Northside Park Area Storm Sewer A-2, to Bunn Excavating in the amount of $994,934.60. Contract Compliance concurs with this award.

   John Suarez moved approval. Motion carried. Notice of award sent.

7. Approval of Board of Public Works Minutes of August 13, 2003.

   Denise Porter-Ross moved approval. Motion carried. Copy to be herein incorporated.

8. **IMPROVEMENT RESOLUTION** #1505-02, Lake Forest Main Replacement.

   Mike Hicks: The purpose of this project is to replace one of our existing sanitary sewer force mains. This is in the Lake Forest Addition. It runs through Lake Forest, through the Lake Forest Apartments, and ties into the North Maumee Interceptor. The new design would be in the road right of way with HDPE pipe. The length is approximately 4,285 feet. We are going to use directional drilling to avoid as much disruption as possible in the construction phase.

   John Suarez moved approval. Motion carried. Copy to be herein incorporated.

9. **IMPROVEMENT RESOLUTION** #1626-03, Goeglein Road Interconnection Manhole.

   Tom Pallone: This is located at the northeast corner of Trier and Goeglein. We have some homes that are having severe backup problems and are connected to a 15 inch existing sewer. It turns out this sanitary sewer goes right of the top of a 24 inch relief sewer, so we are proposing to put an interconnection manhole in to help relieve some problems on the 15 inch and fully utilize the capacity of the 24 inch relief sewer.

   Denise Porter-Ross moved approval. Motion carried. Copy to be herein incorporated.

10. Approval of Construction Contract #656-02 between the City of Fort Wayne and All Star Construction for Rudisill Subbasin – West End Partial Sewer Separation North, in the amount of $2,487,480.50. Prior approval has been requested.

    Denise Porter Ross moved approval. Motion carried. Notice to proceed to be sent.

11. Approval of Construction Contract #1116-03 between the City of Fort Wayne and Scheidleman Excavating for Northwest Pump Station #2 and Water Mains Phase I, in the amount of $333,590.14.

    John Suarez moved approval. Motion carried. Notice to proceed to be sent.

12. Approval of Water Contract #2003-W-13 between the City of Fort Wayne and Paragon Land Development, for Sutters Cove Section I and offsite frontage. The funding source for this project is private and utility capital, and it is located inside the City of Fort Wayne.

    Jack Suter: This is for a subdivision that sanitary and storm sewers have been previously approved. It has 120 lots. The utility is participating in this particular project in

oversizing sewer lines, which would provide the ability for us to extend services northward at an ample pressure. The site is on Till Road, between Lima Road and Till Road.

Denise Porter-Ross moved approval. Motion carried. Notice to proceed to be sent.

13. Approval of Resolution #90-271-13, Establish Neuhaus Sewer Area Capital Improvement Surcharge.

14. Approval of Resolution #90-271-14, establishing area connection fees for Phase II of the Neuhaus Interceptor Sewer within a portion of the Spy Run Service Area.

Greg Meszaros: (- addressing items 13 and 14 -) Last week, we reviewed some resolutions, which is really enabling legislation which allows us to come back today to have the actual dollar amounts for capital surcharges and area connection fees to be used as the primary payback revenue streams for the financing of the Neuhaus Sewer systems that have been constructed to serve the growing Bass Road corridor. There are several thousand homes, with construction ongoing in the future, to this area of our system. This is the payback mechanisms for paying back both the land development investments and the Utility's participation in the design and easements of those sewers.

The first resolution is a monthly capital surcharge that would apply to only new customers connecting to the sewer systems. If you are an existing customer and one of our existing ratepayers, this capital surcharge fee does not go to you; it would only apply to new customers from the date of approval of this resolution. It would add a monthly capital surcharge of $15.00 to the new sewer users connecting to the sewer systems.

The second resolution is a resolution establishing additional upfront area connection fees for these sewer systems. It would cover two parts of the area shed, what we would call Shed AB, which is on the attachment. It would be about $1,012.00 per home, per connection; and shed C would be $1,254.00 per home. Again, kind of a rough metaphor for this is when you purchase a home on your own, you pay some upfront dollars – that would be our area connection fees to the sewer; and then each month you pay your mortgage. In this case, the mortgage for the sewer is the monthly capital surcharge.

Should the Board approve these, the capital surcharge would also need to go before City Council, and we would schedule that for discussion. We believe these two revenue streams will generate enough revenue, based upon our growth assumptions, to pay back total investments in these sewer systems in about 13 years.

John Suarez moved approval of items 13 and 14. Motion carried. Copies to be herein incorporated.

15. Approval of escrow agreement between the City of Fort Wayne and All Star Construction, for Resolution #656-02, Rudisill Subbasin – West End Partial Sewer Separation North, in the amount of $248,748.05. The escrow agent is Lake City Bank.

Denise Porter-Ross moved approval. Motion carried. Copy to be sent to escrow agent.

16. Approval of escrow agreement between the City of Fort Wayne and Primco, Inc., for Resolution #1579-03, St. Joe Dam Repairs Phase 1 – 2003, in the amount of $12,350.03. The escrow agent is Lake City Bank.

John Suarez moved approval. Motion carried. Copy to be sent to escrow agent.

17. Approval of amended Sanitary Sewer Contract #2003-S-16 between the City of Fort Wayne and Marsh Supermarkets, LLC, to construct a local sanitary sewer system to serve Marsh Plaza. This project is privately funded, located inside the City, and is in a green zone.

Jack Suter: This is located at the corner of Maplecrest Road and Rothman Road. Several weeks ago, the Board approved a sewer contract for this particular site. Since that time, the developers have learned that they need to make some extensions to that sewer, and the submitted contract before you is for an additional 247 feet of new sanitary sewer.

Denise Porter-Ross moved approval. Motion carried. Notice to proceed to be sent.

18. Approval of Sewer Contract #2003-S-20 between the City of Fort Wayne and Fort Wayne Area Youth for Christ, for Oakdale Drive Sanitary Reroute. This project is privately funded, located inside the City, and in a green zone.

Jack Suter: This is at the southeast corner of Calhoun and Oakdale Drive. The Fort Wayne Area Youth for Christ proposed to add an addition to their building. Unfortunately, that is where the top of the sewer line is. So, they are going to have to reroute that sewer.

John Suarez moved approval. Motion carried. Notice to proceed to be sent.

19. Approval of Construction Contract #6960-03 between the City of Fort Wayne and Benchmark Construction for the Rothman Road/St. Joe Road Intersection, in the amount of $77,612.00.

Denise Porter-Ross moved approval. Motion carried. Notice to proceed to be sent.

20. Approval of Change Order #1 – Final, received from Key Concrete for Resolution #6940-03, Colonial Heritage Neighborhood – 2003, decreasing the original contract price by $621.11. The original contract price was $81,758.00. Including this change order, the new contract price will be $81,136.89.

Mario Trevino: This final change order identifies more quantities used for pavement patching, anchor bolts, and residential drive construction; but on the other hand, we used less quantities for walks and ramps. The result is a decreased change order for $621.11.

John Suarez moved approval. Motion carried. Contract price decreased.

21. Approval of Change Order #1 – Final, received from Key Concrete for Resolution #6917-03, Lincoln Park Neighborhood, decreasing the original contract price by $2,293.90. The original contract price was $34,769.00. Including this change order, the new contract price will be $32,535.10.

Mario Trevino: The bulk of this final change order can be attributed to less quantity used for concrete patching, curb type 3, concrete ramps, and 12 inch concrete pipe all used less on the project. All the other items were marginally under or over the proposed quantity. The result is a decreased change order for $2,233.90.

Denise Porter-Ross moved approval. Motion carried. Contract price decreased.

22. Approval of Change Order #1 – Final, received from Brooks Construction for Resolution #6946-03, Barthold Street: Third Street to Spring Street, increasing the original contract price by $3,751.96. The original contract price was $72,500.50. Including this change order, the new contract price will be $76,252.46.

Mario Trevino: The lion's share of this change order was an asphalt binder and surface to restore the crown in the street and to undercut an area with poor soil. We used less quantity in walks, milling, bed cores material, and backfill; as well as topsoil and 12 inch concrete pipe. The entire retaining wall quantity we saved. The result is an increased change order for $3,751.96.

John Suarez moved approval. Motion carried. Contract price increased.

23. Approval of Change Order #1 – Final, received from Widner Paving for Resolution #6928-03, Miscellaneous Construction Package 3-A-03, increasing the original contract price by

$83.00. The original contract price was $15,027.00. Including this change order, the new contract price will be $15,110.00.

Mario Trevino: This can be attributed to an additional casting adjustment and an additional arrow board. While we used less walk construction, the result is an increased change order for $83.00.

Denise Porter-Ross moved approval. Motion carried. Contract price increased.

24. Approval of escrow agreement between the City of Fort Wayne and Indiana Construction for Resolution #1571-03, WPCP Secondary Clarifiers and Skimmer Replacement, in the amount of $10,400.00. The escrow agent is Star Financial Bank.

John Suarez moved approval. Motion carried. Copy to be sent to escrow agent.

25. Approval of Barrett Law Claims in the amount of $1,107,199.51;

Denise Porter-Ross moved approval. Motion carried. Claims to be sent to Finance Department.

26. Approval of General Accounting Claims in the amount of $5,549,823.50 for the week of August 13, 2003.

John Suarez moved approval. Motion carried. Claims to be sent to Finance Department.

Bob Kennedy: Just for the record, this is a correction from last week's Board meeting. This is the correct total for the accounting claims for the week of August 13.

27. Approval of General Accounting Claims in the amount of $6,321,574.67 for the week of August 20, 2003.

Denise Porter-Ross moved approval. Motion carried. Claims to be sent to Finance Department.

28. Old Business.

29. New Business.

i. Agreement between the City of Fort Wayne and the Fort Wayne Parks and Recreation Department allocating $10,000.00 of District 1 CEDIT funds for the construction of a perimeter walkway around Lakeside Park; and acknowledging that the Fort Wayne Parks and Recreation Department will hold the City harmless from any claims arising from the use of these funds.

Larry Walter: This is part of the Historic and Cultural Landscape Committee's work. The Park Foundation will be one of the fundraising agents for this. The CEDIT funds are to be used as part of this project. This goes around the perimeter, but does not include a pathway to the Delta. It will wide enough for two people.

Denise Porter-Ross moved approval. Motion carried. Copy to be herein incorporated.

ii. Approval of partial release of escrow received from Robert E. Crosby, Inc., for the Young Road – North Transportation Facility, in the amount of $83,897.90. The escrow agent is Star Financial Bank.

Dan Brenner: Contract Compliance has informed us that they have received most of the documentation required from Crosby. They are working with them to obtain the remaining information. They have asked us to hold $10,000.00 until the requested information has been received.

John Suarez moved approval. Motion carried. Copy to be sent to escrow agent.

iii. Approval of Resolution 90-273-29 of the Board of Public Works amending its decision on resolution 90-199-6 continuing its decision on Resolution 89-211-1 confirming

resolution 89-183-6 of the Board of Public Works appropriating and condemning real and personal property.

iv. Approval of Amendment No. 1 to agreement between the City of Fort Wayne and Crowe, Chizek, and Company.

v. Approval of Amendment No. 1 to agreement between the City of Fort Wayne and Malcolm Pirnie, Inc.

Ted Nitza: (- addressing items iii – v -) These are to extend the appraisal preparation period for the condemnation of the northern assets of AquaSource from 30 days to 60 days. The Board of Works issued a notice to proceed for two professional services contracts – one to Crowe Chizek, and one to Malcolm Pirnie on July 22 and established a 30 day time frame for those to be completed. In the midst of that time, Philadelphia Suburban took possession of the AquaSource assets. During that entire time, we have been working with personnel with AquaSource and requesting information to aide in the preparation of those appraisals. We have gotten some of the information and some not. Philadelphia Suburban's consul has indicated they received our list of requested information and is considering providing in whole or in part, the information requested. We would like to allow Philadelphia Suburban to complete its review of the information and provide us with the information they see appropriate.

Denise Porter-Ross moved approval of items 3, 4, and 5 under new business. Motion carried. Copies to be herein incorporated.

Meeting adjourned at 9:34 a.m.

Robert P. Kennedy, Chairman

John Suarez, Member

Denise Porter-Ross, Member

ATTEST: _____
Justin Brugger, Clerk

BOARD OF STORMWATER MANAGEMENT MINUTES
AUGUST 20, 2003

BOARD OF STORMWATER MANAGEMENT
ROOM 250 – OMNI ROOM
MEETING HELD AT 9:36 AM

GREG MESZAROS, CHAIRMAN
JOHN SUAREZ, MEMBER
DENISE PORTER-ROSS, MEMBER

JUSTIN BRUGGER, CLERK

Present: All Members and Clerk. Bob Kennedy, Associate Director of Public Works and Utilities; Chuck Bailey and Carl Wilson, Contract Compliance; Jack Suter, Development Services; Ken Nicolet, Public Works Administration.

1. Approval of Board of Stormwater Management Minutes of August 13, 2003.

   Denise Porter-Ross moved approval. Motion carried. Copy to be herein incorporated.

2. Approval of Storm Sewer Contract #2003-ST-06, between the City of Fort Wayne and the Embassy Theatre Foundation, to construct a local storm drainage system to serve Embassy Theatre Storm Sewer.

   Jack Suter: A sidewalk project is taking place that will include a new storm sewer. It is 200 feet long and includes 12 inches of storm sewer that will be ours when we accept it.

   John Suarez moved approval. Motion carried. Notice to proceed to be sent.

3. Old Business.

4. New Business.

Meeting adjourned at 9:37 a.m.

Greg Meszaros, Chairman

John Suarez, Member

Denise Porter-Ross, Member

ATTEST: _____
Justin Brugger, Clerk

BOARD OF PUBLIC WORKS MINUTES
AUGUST 27, 2003

BOARD OF PUBLIC WORKS
ROOM 250—OMNI ROOM
MEETING HELD AT 9:10 A.M.

ROBERT P. KENNEDY, CHAIRMAN
JOHN SUAREZ, MEMBER
DENISE PORTER-ROSS, MEMBER
JUSTIN BRUGGER, CLERK

Present: All Members & Clerk. Greg Meszaros, Director of Public Works and Utilities. Dave Ross; City Engineer. Nathan Baggett and Paul Powers; Planning and Design Services. Nancy Townsend, Jack Suter, and Mary Jane Slaton; Development Services. Ron Sheppard; Engineering Support Services. Brian Panzer and Cheryl Cronin; WPCP. John Perlich; PIO. Kristine Degabriele; Associate City Attorney. Chuck Bailey and Carl Wilson; Contract Compliance. Rick Orr and Ken Nicolet; Public Works Administration.

1. RECEIVE BIDS: Resolution #6944-03: Arlington Avenue: Oakdale to Rudisill.

BIDDERS	BASE BID
Benchmark Construction	$134,839.00
Brooks Construction Co., Inc.	$152,018.25
E & B Paving	$144,371.00
Hipskind Concrete	**$134,811.00**
Primco, Inc.	$149,679.80
Wayne Asphalt	$138,009.00
Engineers Estimate	**$142,627.50**

Transportation Engineering Services to tabulate and report.

2. RECEIVE BIDS: Resolution #6947-03: Congressional Parkway Upgrade.

BIDDERS	BASE BID
Brooks Construction Co., Inc.	$299,663.90
Hipskind Concrete	**$230,463.50**
Pioneer Associates	335,411.90
Primco, Inc.	$265,339.61
Engineers Estimate	**$297,428.00**

Transportation Engineering Services to tabulate and report.

3. Approval of Board of Public Works Minutes of August 20, 2003.

Denise Porter-Ross moved approval. Motion carried. Copy to be herein incorporated.

4. **AWARD:** Improvement Resolution #1591-03, General Cured-in-Place 2003 Sewer Rehabilitation to Insituform Technologies in the amount of $1,889,440.00. Contract Compliance concurs with this award.

John Suarez moved approval. Motion carried. Notice of award to be sent.

5. **AWARD:** Improvement Resolution #6965-03, East Maple Grove: Werling to Hessen Cassel, to Key Concrete in the amount of $97,800.00. Contract Compliance concurs with this award.

Denise Porter-Ross moved approval. Motion carried. Notice of award to be sent.

6. **AWARD:** Improvement Resolution #6966-03, Miscellaneous Construction Package 5-B-03, to Key Concrete in the amount of $22,309.00. Contract Compliance concurs with this award.

John Suarez moved approval. Motion carried. Notice of award to be sent.

7. **AWARD:** Improvement Resolution #6924-03, Fulton Street – 900 Block, to Primco, Inc., in the amount of $18,025.58. Contract Compliance concurs with this award.

Denise Porter-Ross moved approval. Motion carried. Notice to Proceed to be sent.

8. Approval of Construction Contract #6964-03, Hoagland Avenue, to Benchmark Construction in the amount of $212,012.00.

John Suarez moved approval. Motion carried. Notice to Proceed to be sent.

9. Approval of road plans for St. Joseph Center Road, consisting of added travel lanes and road reconstruction beginning at a point, approximately 155 meters west of the centerline intersection of St. Joseph Center Road and St. Joe Road, thence easterly along St. Joseph Center Road a distance of approximately 1,645 meters to Reed Road.

(inaudible) Denise Porter-Ross moved approval. Motion carried. Plans to be sent to Plan Commission.

10. **IMPROVEMENT RESOLUTION #1606-03**, Shackelford Lift Station Abandonment.

(inaudible) John Suarez moved approval. Motion carried. Copy to be herein incorporated.

11. Approval of Encroachment License Agreement between Gary L. and Sandra L. Adam and the City of Fort Wayne for the Lima Road Water Main Replacement project.

(inaudible) Denise Porter-Ross moved approval. Motion carried. Copy to be herein incorporated.

12. Approval of Offsite Water Contract #2003-W-11, Brickshire Village Section I. This project is located inside the City of Fort Wayne. The funding source is private and Utility Capital.

(inaudible) John Suarez moved approval. Motion carried. Copy to be herein incorporated.

13. Approval of Change Order #1 – Final, received from Primco, Inc. for Resolution #6951-03, Clover Lane: Hinton Street to North Highlands Boulevard, increasing the original contract price by $558.95. The original contract price was $19,453.18. Including this change order, the new contract price will be $20,012.13.

    (inaudible). Denise Porter-Ross moved approval. Motion carried. Contract price increased.

14. Approval of Change Order #5 – Final, received from Wayne Asphalt for Resolution #6914-03, Harrison Street – South, increasing the original contract price by $2,292.06. The original contract price was $161,762.00. Including this change order, the new contract price will be $194,350.06.

    Mario Trevino: This identifies that the quantity for asphalt surface, asphalt binder, residential drive, and walk construction were all estimated less than needed. Fortunately the approach mix, (inaudible), ...and patching material quantities were all estimated higher. The result is an increased change order for $2,292.06.

    John Suarez moved approval. Motion carried. Contract price increased.

15. Approval of Change Order #1 – Final, received from Insituform Technologies USA, Inc. for Resolution #650-01, Forest Park Combination Sewer Rehabilitation, decreasing the original contract price by $31,034.97. The original contract price was $836,381.50. Including this change order and assessment of liquidated damages for substantial and final completion in the amount of $26,800.00, the final amount will be $778,546.53.

    Ron Sheppard: Most of the footage changes were rather small, considering the type of work we were doing. As far as individual segments of 15, 18, 24 and 30 inch pipe that we were using, we did find eight more laterals that we need to install. The largest part was we had a number of spot repairs going into this project that were originally bid. After looking at it and talking to the contractor, we reworked a lot of the numbers so that it was much more to the City's advantage and the contractor's doing the work. We deleted a number of items, and added new items to replace those that actually dealt with the spot repairs on the streets... (inaudible).

    Denise Porter-Ross moved approval. Motion carried. Contract price decreased.

16. Approval of recommendation from Engineering Support Services to accept the work performed by Insituform Technologies USA, Inc. for Resolution #650-01, as an integral part of the City's sewer system.

    John Suarez moved approval. Motion carried. Acceptance letter to be sent.

17. Approval of release of escrow received from Geiger Excavating for Resolution #670-02, Independence Drive Interceptor Sewer, in the amount of $24,089.04. The escrow agent is Tower Bank.

    Denise Porter-Ross moved approval. Motion carried. Release of escrow to be sent to escrow agent.

18. Approval of Miscellaneous Resolution #90-279-18 to repair and/or replace pumps and control panel at the Tillman Road/Calhoun Street lift station that were recently damaged in the recent St. Mary's River flooding. The Maintenance Supervisor for the Water Pollution Control Plant and Filtration Plant indicates the costs associated with the repair or replacement of these items will not exceed $52,000.00.

Cheryl Cronin: This lift station was flooded out during the recent flooding. Now we have to repair or replace it. The $52,000.00 is the worst-case scenario repair costs. We are working with Risk Management and FEMA to see what costs can be taken care of by FEMA. We think that the costs could be considerably less than $52,000.00.

Denise Porter-Ross moved approval. Motion carried. Copy to be herein incorporated.

19. Approval of agreement between the City of Fort Wayne and the Embassy Theatre Foundation allocating $20,000.00 from District 1 CEDIT funds and $50,000.00 from the City of Fort Wayne Redevelopment District revenue bonds, Series 2002, to be used towards the expense of reconstructing the existing public sidewalk along West Jefferson Boulevard adjacent to the Embassy and towards the expense for the installation of storm sewer pipe and drainage structures along the same reconstructed sidewalk, in accordance with the plans filed and attached to Right of Way Permit No. 3734 and as bid and awarded to a private contractor, Hagerman Construction.

Rick Orr: The Embassy Theatre Foundation requested some funding assistance to reconstruct the sidewalk in front of their property on Jefferson Boulevard. Councilman Smith agreed to allocate $20,000.00 of his CEDIT funds towards the project. The Redevelopment Commission also agreed to fund $50,000.00 of this work as well. The Redevelopment Commission has already passed a resolution affirming the use of their funds. The Embassy will be reconstructing the sidewalk from the corner of Harrison toward the east to their eastern property line. It will be a fairly unique section of sidewalk that I think, ultimately, will be very attractive. They will be using bronze plaques inserted in amber granite surrounding the brass; and then brick pavers surrounding the granite bronze plaque. At the foyer to the entrance to the theatre they will have a fairly intricate pattern made out of mosaic tile. There will be lighted bollards along the curbline, with chains that will connect them to help protect pedestrians going into the theater. The bollards will be removable. There will be some storm drainage improvements along the curbline and also along the building face.

John Suarez moved approval. Motion carried. Copy to be herein incorporated.

20. Approval of Barrett Law Claims in the amount of $308,881.50.

Denise Porter-Ross moved approval. Motion carried. Claims to be sent to Finance Department.

21. Approval of General Accounting Claims in the amount of $16,018,190.55.

John Suarez moved approval. Motion carried. Claims to be sent to Finance Department.

22. Old Business.

23. New Business.

i. Approval of agreement between the City of Fort Wayne and US Infrastructure Indiana, Inc., to provide professional services for the design of improvements to the Ardmore Avenue and Taylor Street intersection. Proposed project includes new traffic control signal system, pavement widening for additional turn lanes, storm sewer, street lights, and other related road way. Compensation for services performed shall not exceed $51,000.00, funded through the LR&S Account.

Dave Ross: This project was initiated through the Traffic Engineering Department. This project is coming from the north, intersecting with Ardmore Avenue at Jefferson Boulevard. Our project will then go from Lower Huntington Road to the airport. At the intersection of Taylor and Ardmore, we have a four-way stop. We believe that once the two projects are in place, we will have congestion at this particular intersection. This project will signalize the intersection and add additional turn lanes so traffic can move more smoothly. The consultant believes the construction costs will be greater than we first estimated. Therefore, I have negotiated with the consultants to add a cost not to exceed. I believe the cost is going to come in lower. The consultant believes it will come in higher. So, we have negotiated just to pay them for the actual time they put into this project. We are going to start this, this year, and it will be paid for by LR&S or CEDIT.

John Suarez moved approval. Motion carried. Notice to proceed to be sent.

ii. Approval of continuance of Schenkel's Neuhaus Interceptor Hearing until October 15, 2003.

Denise Porter-Ross moved to continue. Motion carried. Hearing will be October 15, 2003.

Meeting adjourned at 9:37 a.m.

Robert P. Kennedy, Chairman

John Suarez, Member

Denise Porter-Ross, Member

ATTEST: _____
Justin Brugger, Clerk

BOARD OF STORMWATER MANAGEMENT MINUTES
AUGUST 27, 2003

BOARD OF STORMWATER MANAGEMENT
ROOM 250 – OMNI ROOM
MEETING HELD AT 9:37 AM

GREG MESZAROS, CHAIRMAN
JOHN SUAREZ, MEMBER
DENISE PORTER-ROSS, MEMBER

JUSTIN BRUGGER, CLERK

Present: All Members and Clerk. Bob Kennedy, Associate Director of Public Works and Utilities; Chuck Bailey and Carl Wilson, Contract Compliance; Nancy Townsend and Jack Suter, Development Services; Ken Nicolet, Public Works Administration.

1. Approval of Board of Stormwater Management Minutes of August 20, 2003.
   John Suarez moved approval. Motion carried. Copy to be herein incorporated.

2. Approval of Improvement Resolution #1612-2003, Senate Avenue/Holly Avenue Storm Sewer Project, for spot drainage improvements at the Senate Avenue and Holly Avenue area, east of Wayne Trace – an area with chronic reoccurring drainage problems. Improvement to be performed by outside contractor at lump sum cost of $59,885.00. Development Services recommends approval.
   Nancy Townsend: This addresses a chronic, reoccurring problem at the intersection of Holly and Senate. It affects a number of homes including a number of modular homes that are uninhabitable. The road floods, making it impassible. Our Water Pollution Control Maintenance Department continually gets calls to come out and pump it down before it gets into homes. This project includes just over a thousand feet of storm sewer ranging from six inch to 18" PVC pipe and 14 beehive inlets. The low bidder for this project was TE, Inc., at $59,885.00.
   Denise Porter-Ross moved approval. Motion carried. Copy to be herein incorporated.

3. Approval of Storm Sewer Contract # 2003-ST-09, between the City of Fort Wayne and Maysville Park Development, LLC, for Brickshire Village Section I.
   Jack Suter: This is 4,800 feet of new storm sewer to service this new land development. Denise Porter-Ross moved approval. Motion carried. Notice to proceed to be sent.

4. Old Business.

5. New Business.

Meeting adjourned at 9:43 a.m.

Greg Meszaros, Chairman

John Suarez, Member

Denise Porter-Ross, Member

ATTEST: _____

BOARD OF PUBLIC WORKS MINUTES
SEPTEMBER 3, 2003

BOARD OF PUBLIC WORKS
ROOM 250—OMNI ROOM
MEETING HELD AT 9:00 A.M.

ROBERT P. KENNEDY, CHAIRMAN
JOHN SUAREZ, MEMBER
DENISE PORTER-ROSS, MEMBER
JUSTIN BRUGGER, CLERK

Present: Bob Kennedy, John Suarez, and Justin Brugger. Greg Meszaros – Director of Public Works and Utilities. Jack Suter – Development Services. Pat Callahan and Bill Maxwell – Planning and Design Services. Ron Sheppard – Engineering Support Services. Kristine Degabriele – Associate City Attorney. Ken Nicolet – Public Works Administration. Absent: Denise Porter-Ross.

1. **RECEIVE BIDS:** Improvement Resolution #6967-03: Public Sidewalk Curb Ramp Packages 3 & 4 – 2003.

BIDDERS	BASE BID
Key Concrete	$114,635.00
Engineer's Estimate	**$134,558.00**

Transportation Engineering Services to tabulate and report. Because there was only one bidder, it will be sent to City Council for approval.

2. Approval of Board of Public Works Minutes of August 27, 2003.

   John Suarez moved approval. Motion carried. Copy to be herein incorporated.

3. **AWARD:** Improvement Resolution #289-03, Crescent Avenue, Coliseum to Hobson – Street Lights, to Lights and Signals, Inc., in the amount of $23,639.00. Contract Compliance concurs with this award.

   John Suarez moved approval. Motion carried. Street Light Engineering to prepare contracts.

4. **AWARD**: Improvement Resolution #6944-03, Arlington Avenue: Oakdale to Rudisill, to Hipskind Concrete in the amount of $134,811.00. Contract Compliance concurs with this award.

   John Suarez moved approval. Motion carried. Transportation Engineering Services to prepare contracts.

5. **IMPROVEMENT RESOLUTION #6968-03**, Temple Drive: Bluffton Road to +/- 220' West.

   Mike Fruchey: This project involves concrete pavement repair, curbs, storm drainage, and restoration. This is a commercial industrial park, so we have designed the heavier standard in the area. The bid opening is set for September 17, and the completion date for the roadwork is scheduled for November 30; with

restoration set for May 15 of next year. Bob Kennedy: Karen Goldner has worked very hard trying to get the funding for this project, so we would like to thank her for her active involvement.

John Suarez moved approval. Motion carried. Copy to be herein incorporated.

6. Approval of Special Street Permit for Chestnut Group, Inc., and their agent(s) to construct Oak Trail Road. All construction shall be in accordance with City of Fort Wayne Street Engineering Standards and the approved plans for this project.

Mike Fruchey: This is in the Villas of Northbrook Section I. Transportation Engineering Services recommends approval of Oak Trail Road, which runs to the north of Dupont. This project will service 36 villas and has a length of 1,405 LF. Street construction consists of 27' wide roadway, which will include rolled concrete curb sections and an asphalt pavement section consisting of four inches of bitumous material and ten inches of compacted aggregate. In addition, concrete sidewalks and curbramps will be constructed on both sides of each roadway. All construction will be consistent with City of Fort Wayne standards.

John Suarez moved approval. Copy to be herein incorporated.

7. Approval of Special Street Permit for Zohrab K. Tazian and their agent(s) to construct Sterling Ridge Cove, Baron Hill Court, Caradoza Court, and Shelbourne Court. All construction shall be in accordance with City of Fort Wayne Street Engineering Standards and the approved plans for this project.

Mike Fruchey: This is in the Canyons of North Pointe Section II. Transportation Engineering Services is recommending approval of this permit for the construction of Sterling Ridge Cove, Baron Hill Court, Caradoza Court, and Shelbourne Court. These sections will service 26 residential lots. The total length of all sections is 1,116.31 LF. The construction will consist of our standard 27' wide roadway, with two foot rolled concrete curb sections, and standard asphalt pavement section. In addition, concrete sidewalks and curb ramps will be constructed on both sides of each roadway. All construction will be consistent with City of Fort Wayne standards.

John Suarez moved approval. Motion carried. Copy to be herein incorporated.

8. Approval of Change Order #1 - Final, received from Key Concrete, Inc., for Resolution #6948-03, Wenonah Lane: 3500 Block, decreasing the original contract price by $441.62. Including this change order, the new contract price will be $33,270.38.

Mike Fruchey: This is basically attributed to lower quantities on the drive approach, which is 1.3 percent below the contract price.

John Suarez moved approval. Motion carried. Contract price decreased.

9. Approval of Change Order #1 – Final, received from Key Concrete, Inc., for Resolution #6945-03, Tower Heights Concrete Street Repairs, increasing the original contract price by $2,607.50. Including this change order, the new contract price will be $54,122.50.

Mike Fruchey: The bulk of this final change order is attributed to additional pavement repair, excavation of poor soils, use of additional compacted aggregate,

and use of subsurface drainage. The result is a net increase of $2,607.50, which is 4.7% over the original contract price.

John Suarez moved approval. Motion carried. Contract price increased.

10. Approval of recommendation from Engineering Support Services to accept the work performed by Service Electric of Allen Country for Resolution #659-02, WPCP Aeration Control Panel Phase Out, as an integral part of the City's sewer system.

John Suarez moved approval. Motion carried. Acceptance letter to be sent.

11. Approval of release escrow received from Service Electric of Allen County for Resolution #659-02, WPCP Aeration Control Panel Phase Out in the amount of $54,902.16. The escrow agent is Campbell and Fetter Bank.

John Suarez moved approval. Motion carried. Release to be sent to escrow agent.

12. Approval of Sanitary Sewer Contract #2003-S-25, between the City of Fort Wayne and Creekwood Developers, LLC, to construct a local sanitary sewer system to serve Creekwood Section IV. This project is privately funded, located inside the City of Fort Wayne, and is in a green zone.

(see item 13)

13. Approval of Water Contract #2003-W-10, between the City of Fort Wayne and Creekwood Developers, LLC, to construct water main systems, including all necessary fittings, to serve Creekwood Section IV. This project is privately funded and located inside the City of Fort Wayne.

Jack Suter: Creekwood is on the south side of Saint Joe Center Road, just west of Lahmeyer Road. This section of Creekwood has 40 lots.

John Suarez moved approval of agenda items 12 and 13. Motion carried. Copies to be herein incorporated.

14. Approval of Water Contract #2003-W-16, between the City of Fort Wayne and Somerset Land Development, LLC, to construct water main systems, including all necessary fittings, to serve Hickory Pointe Section II. This project is privately funded and located outside the City of Fort Wayne.

(see item 15)

15. Approval of Sanitary Sewer Contract #2003-S-21, between the City of Fort Wayne and Somerset Land Development, LLC, to construct a local sanitary sewer system to serve Hickory Pointe Section II. This project is privately funded, located outside the City of Fort Wayne, and is in a green zone.

Jack Suter: This project is on the north side of Bass Road, immediately east of I-69. This is the second section of Hickory Pointe. There are 52 lots in this section, with a total of 102 or 103 lots in the entire section. The particular portion represents about 18 acres, and sewer and water facilities are there to serve the new people.

John Suarez moved approval of agenda items 14 and 15. Motion carried. Copies to be herein incorporated.

16. Approval of Water Contract #2003-W-18, between the City of Fort Wayne and SBB Development Corporation, to construct water main systems, including all necessary fittings, to serve Saddle Brook Section II and Villas. This project is privately funded and located inside the City of Fort Wayne.

(see item 18)

17. Approval of escrow agreement between the City of Fort Wayne and Scheidleman Excavating or Resolution #1116-03, Northwest Pump Station #2 and Water Mains Phase I in the amount of $33,359.01. The escrow agent is Garrett State Bank.

John Suarez moved approval. Motion carried. Copy to be sent to escrow agent.

18. Approval of Sanitary Sewer Contract #2003-S-23, between the City of Fort Wayne and SBB Development Corporation, to construct a local sanitary sewer to serve Saddle Brook Section II and Villas. This project is privately funded, located inside the City of Fort Wayne, and is in a green zone.

Jack Suter: This subdivision is on the south side of Wallen Road, west of Coldwater Road. It contains 54 single-family lots; and there are some villas as well.

John Suarez moved approval of items 16 and 18. Motion carried. Copies to be herein incorporated.

19. Approval of Amendment #2 to design contract for south McMillen Park Storm Collection System between the City of Fort Wayne and Dodzik Engineering, Inc. The cost of this amendment is not to exceed $17,675.00 and will be paid for from Sewer Utility Revenues. The revised total contract price will be $207,675.00. Planning and Design Services recommends approval.

Pat Callahan: Basically, this project was originally entered into in 1999. The contract was suspended for three years by the City. This amendment covers the increase in cost due to inflation during that period. The contract is for the design of a separate stormwater system. It is part of the Camp Scott Project. It covers the southern portion of the collection area. There are actually going to be two construction contracts, and each of those contracts will be in excess of $1 million. The first contract will begin in 2005. There is another stormwater project that has to be constructed that this one ties on to, and then these two are sequential, so they will be 2005 and 2006.

John Suarez moved approval. Motion carried. Copy to be herein incorporated.

20. Approval of Barrett Law Claims in the amount of $32,293.68.

John Suarez moved approval. Motion carried. Claims to be sent to Finance Department.

21. Approval of General Accounting Claims in the amount of $3,439,617.13.

John Suarez moved approval. Motion carried. Claims top be sent to Finance Department.

22. Old Business.

23. New Business.

Meeting adjourned at 9:19 a.m.

Robert P. Kennedy, Chairman

John Suarez, Member

Denise Porter-Ross, Member

ATTEST: _____
Justin Brugger, Clerk

BOARD OF STORMWATER MANAGEMENT MINUTES
SEPTEMBER 3, 2003

BOARD OF STORMWATER MANAGEMENT
ROOM 250 – OMNI ROOM
MEETING HELD AT 9:20 AM

GREG MESZAROS, CHAIRMAN
JOHN SUAREZ, MEMBER
DENISE PORTER-ROSS, MEMBER
JUSTIN BRUGGER, CLERK

Present: All Members and Clerk. Bob Kennedy, Associate Director of Public Works and Utilities; Chuck Bailey and Carl Wilson, Contract Compliance; Nancy Townsend and Jack Suter, Development Services; Ken Nicolet, Public Works Administration.

1. Approval of Board of Stormwater Management Minutes of September 3, 2003.
   John Suarez moved approval. Motion carried. Copy to be herein incorporated.

2. Approval of recommendation from Engineering Support Services to accept the work performed by Kurtz Excavating for Contract #2003-ST-04, Springfield IV – Storm, as an integral part of the City's sewer system.
   John Suarez moved approval. Motion carried. Acceptance Letter to be sent.

3. Old Business.

4. New Business.

Meeting adjourned at 9:21 a.m.

Greg Meszaros, Chairman

John Suarez, Member

Denise Porter-Ross, Member

ATTEST: Justin Brugger

BOARD OF PUBLIC WORKS MINUTES
SEPTEMBER 10, 2003

BOARD OF PUBLIC WORKS
ROOM 250—OMNI ROOM
MEETING HELD AT 9:00 A.M.

ROBERT P. KENNEDY, CHAIRMAN
JOHN SUAREZ, MEMBER
DENISE PORTER-ROSS, MEMBER
JUSTIN BRUGGER, CLERK

Present: All Members & Clerk. Greg Meszaros - Director of Public Works and Utilities. David Ross - City Engineer. Mark Gensic, Bill Maxwell, Mike Hicks, Nathan Baggett, and Matthew Wirtz - Planning and Design Services. Mary Jane Slaton - Development Services. Ron Sheppard - Engineering Support Services. Mario Trevino and Mike Fruchey – Transportation Engineering Services. John Perlich - Public Information Officer. Kristine Degabriele - Associate City Attorney. Chuck Bailey and Carl Wilson - Contract Compliance. Ken Nicolet - Public Works Administration. Molly McCray – City Council Research Assistant.

1. **RECEIVE BIDS:** Improvement Resolution #1505-02: Lake Forest Force Main Replacement.

BIDDERS	BASE BID
All Star Construction	$192,763.50
Earth Construction	$194,649.75
Fox Contractors	$269,617.75
Henkels & McCoy	$290,438.62
Engineer's Estimate	**$335,000.00**

Engineering Support Services to tabulate and report.

2. Approval of Board of Public Works Minutes of September 3, 2003.

   John Suarez moved approval. Motion carried. Copy to be herein incorporated.

3. **AWARD:** Improvement Resolution #6947-03, Congressional Parkway, to Hipskind Concrete in the amount of $230,463.50. Contract Compliance concurs with this award.

   Denise Porter-Ross moved approval. Motion carried. Notice of Award to be sent.

4. **AWARD:** Improvement Resolution #6967-03, Public Sidewalk Curb Ramp Package 3 and 4 – 2003, to Key Concrete in the amount of $114,635.00. Contract Compliance concurs with this award.

   John Suarez moved approval. Motion carried. Notice of Award to be sent.

5. **Emergency Resolution #90-291-5:** Emergency Concrete Pavement Repair, 3830 Willshire Court. The Engineer's Estimate for this project is $2,768.50.

Mario Trevino: The pavement condition at this location is a liability to the City, and because of that, it poses a threat to public safety. We held an invitational bid and three contractors were selected: Key Concrete, Hipskind, and Primco, to submit bids. The apparent low bidder is Key Concrete for $4,346.00. In addition to recommending this resolution, I also recommend an award to Key Concrete for that amount. Denise Porter-Ross moved approval. Motion carried. Copy to be herein incorporated.

6. Approval of recommendation from Transportation Engineering Services to accept the work performed by Hipskind Concrete for Improvement Resolution #6922-03, Madison Street: Lafayette Blvd. to Clay Street, as an integral part of the City's transportation system.

   John Suarez moved approval. Motion carried. Acceptance Letter to be sent.

7. Approval of Special Street Permit certifying that permission is granted to SBB Development Corporation and their Agent(s) to construct Bremen Way and Caperiole Place in accordance with City of Fort Wayne Street Engineering Standards and the approved plans for this project.

   Mike Fruchey: This is for Saddlebrook Section II and Villas. Transportation Engineering Services is recommending approval of this permit, serving 22 residential lots and 33 villas. The total length of all sections is 1,815 LF. The residential street construction will consist of 27' wide roadway with 2' rolled concrete curb sections, and our standard asphalt pavement section pavement section consisting of 4" of bituminous material over 10" of compacted aggregate. Concrete curb ramps and sidewalks will be constructed on both sides. All construction will be consistent with City of Fort Wayne standards.

   Denise Porter-Ross moved approval. Motion carried. Copy to be placed on file in vault.

8. Approval of recommendation from Transportation Engineering Services to accept the work performed by Wayne Asphalt for Improvement Resolution #6945-03, Tower Heights: 3100 Bowstring Pass and 2100-2200 Choctimar Trail.

   John Suarez moved approval. Motion carried. Acceptance Letter to be sent.

9. Approval of Change Order #2 – Final, received from Robert Henry Corporation for Resolution #283-03, Lima Road (Edgewater to Fernhill), increasing the original contract price by $15.30. The original contract price was $21,743.50. Including this change order, the new contract price will be $21,758.80.

   Denise Porter-Ross moved approval. Motion carried. Contract price increased.

10. Approval of Change Order #2 – Final, received from Primco, Inc., for Resolution #6953-03, Pettit-Rudisill Neighborhood Improvements – 2003, decreasing the original contract price by $601.98. The original contract price was $36,427.29. Including this change order, the new contract price will be $35,825.31.

    Mario Trevino: This project called for adjusting 40 water valves, and actually, we only had to adjust four. This particular change order is decreased by $601.98.

    John Suarez moved approval. Motion carried. Contract price decreased.

11. Approval of Encroachment License Agreement for Embassy Theatre Foundation located at 125 W. Jefferson Blvd.

Denise Porter-Ross moved approval. Motion carried. Copy to be placed on file in vault.

12. Approval of Release of Sanitary Sewer Easement at Jefferson Pointe.

Mary Jane Slaton: This is a standard release of easement for a sewer that previously existed in what is now Jefferson Pointe. This was a sewer that was built as part of the Apple Glen development back in about 1980. As part of the Jefferson Pointe development, the sewer was relocated out of the existing easement and we have a new easement for the actual location of the sewer. We no longer need this easement, because we don't have a sewer there anymore.

John Suarez moved approval. Motion carried. Copy to be placed on file in vault.

13. Approval of Resolution and Contract #1628-03 between the City of Fort Wayne and Hydro-Power, Inc., for installation of a recirculating pump, and all associated electrical equipment as necessary to provide electrical power and controls to the pump, in the amount of $4,936.00.

Matthew Wirtz: This is for a recirculating pump to turn over the Northeast Tank. It will help to improve our water quality in the area. We are going to sole-source this with Hydro-Power, who has provided these pumps to our other tanks. They have an ongoing working relationship with the plants, and provide good service. This tank is on Young Road, north of Rothman.

John Suarez moved approval. Notice to Proceed to be sent.

14. Approval of Construction Contract #1536-03, Fort Wayne Airport/Perimeter Drive Water Main Replacement, between the City of Fort Wayne and Land Construction in the amount of $234,380.00.

Denise Porter-Ross moved approval. Motion carried. Notice to Proceed to be sent.

15. Approval of Construction Contract #584-1998, Bob Arnold/Northside Park Area Storm Sewer Phase A-2 between the City of Fort Wayne and Bunn Excavating in the amount of $994,934.60.

John Suarez raised concern over whether or not this contract had submitted weekly payrolls. Ron Sheppard: We have been working with Contract Compliance on a regular basis to head off these particular problems. We have been doing better, but it is very tough to get everybody, every week, to turn in their weekly payrolls. What we count on is a memo where we are given notice to bug our contractors again. What we try to do, if they are getting behind, is to let them know that we need this information. We try not to hold people's payments up, but we also know that Contract Compliance needs to get their information also. We will definitely let them know that they need to get their information in.

John Suarez moved approval. Motion carried. Notice to proceed to be sent.

16. Approval of Change Order #2 – Final, received from Maddox Industrial Contractors for Contract #1102-01, Filter 15 Rehabilitation, increasing the original contract price by $11,903.00. The original contract price was $184,900.00. Including this change order, the new contract price will be $222,214.00.

Mark Gensic: This project is one of 28 of our final filters on our treatment process. The City does have plenty of filtering capacity. This particular filter has been out of services for a couple of years now, because we are rebuilding it with some new technology. This project has been an interesting project, because it has been a joint-

venture between hiring a contractor to do small parts of it, City Plant Staff, and vendors coming in, who eventually want to sell us equipment involved with making certain improvements to all of our filters. The City is not prepared to take that step yet, so we have identified this project as a pilot project only. However, as we work through the different aspects of putting in piping, carbonation, new filter bed, new filter media, controls, etc., we have some problems associated with, "Who's doing what?" That's why you have seen several change orders on this project. Certain parts of the project we were going to handle, and we made a decision later on that we were going to hire a contractor to move that part forward. We have lost a little credibility with the Board because we have a project that continues to go on and continues to have change orders. With that in mind, we are perfectly willing to wait until next year to finish this project, or we will move forward with these last two change orders and finish the project now. I think I'll leave that to the pleasure of the Board and take some guidance from Greg on this one. We're satisfied that this is the right thing to do. We are going to continue to pursue this technology and this quality improvement that we expect to improve all of our filters; but at the same time, we want to make sure you are satisfied that we are doing the right thing. We do want to complete it though. It's just a matter of this year or next year. The filters were originally designed in the 1930's. The traditional filter is a stone bottom, and then small stones and sand on top. The water filters through that process - then we backwash. Because of the Filtration Plant process, this filter media and those filter underdrains have old piping, and those pipes are beginning to deteriorate. So, we have to replace the bottoms of these filters. This will make the backwash process work better. We are setting the stage for making additional filter improvements over the course of the next several years with our Capital Program. We want to watch this one for a couple years and see its performance and improve our own standard operating procedures before we make a larger capital decision to do more filters this way. So, we have been trying to do it with a combination of vendors, contractors, and ourselves, and we've struggled a little bit. Greg Meszaros: (inaudible). Denise Porter-Ross: This will save us more money in the long run, because we are improving efficiency.

Denise Porter-Ross moved approval. Motion carried. Contract price increased.

17. Approval of Change Order #1 – Final, received from Crosby Excavating for Contract #1566-03, Effie Drive Sanitary, increasing the original contract price by $8,540.67. The original contract price was $98,831.50. Including this change order, the new contract price will be $107,372.17.

Ron Sheppard: The large part of this change order was a blow that we had in the depth of the actual sewer line that was being installed. There was a two-foot error on the original design survey. This is a project that was started by the property owners. They hired an engineer to go out and do this design and then the City took it on as a Barrett Law Project to help the property owner's defray some of the costs. It was an honest mistake, and all we had to do was add additional backfill quantity – additional height to our structures for about 800'. We had one driveway that was missed and that's why we had to put the metal pipe across it on the two end sections. What it really comes down to is there was a blow, we had to correct it in the field, and this is what it amounted to.

John Suarez moved approval. Motion carried. Contract price increased.

18. Approval of Change Order #2 received from Wayne Asphalt for Contract #6907-03, Paulding Road, increasing the original contract price by $5,497.55. The original contract price was $887,161.78. Including this change order, the new contract price will be $893,692.33.

David Ross: This is a two-phase project. We have completed the first phase – that would be from Lafayette to Hanna St. The contractor has now moved into Phase II and has started the pavement cracking operations, along with some reconstruction of the curbs. This change order is to address some of the work – the additional work that the contractor did in Phase I on the drainage to modify the grades and structures to get adequate drainage and also to address some poor subgrade conditions underneath the cracked pavement. Again, it is a minor amount for the work that has been completed on Phase I. I just got a call on Phase II; they have encountered at least one broken water main during the cracking operation. We believe the cracking operation may have something to do with the water main break.

Denise Porter-Ross moved approval. Motion carried. Contract price increased.

19. Approval of Escrow Agreement between the City of Fort Wayne and Phend & Brown, Inc., for Improvement Resolution #1514-03, Camp Scott Wetlands IIIB in the amount of $117,736.61. The Escrow Agent is Star Financial Bank.

John Suarez moved approval. Motion carried. Copy to be sent to escrow agent.

20. Approval of Escrow Agreement between the City of Fort Wayne and Robbco, Inc., for Construction Contract #03-04, Restoration of Water Maintenance Utility Cuts, in the amount of $18,160.13. The Escrow Agent is Ossian State Bank.

Denise Porter-Ross moved approval. Motion carried. Copy to be sent to escrow agent.

21. Approval of recommendation from Engineering Support Services to accept the work performed by Tecton Corporation for Contract #2002-W-22 as an integral part of the City's water system.

John Suarez moved approval. Motion carried. Acceptance Letter to be sent.

22. Approval of Assessment Roll for Miscellaneous Package 3-A-03 – Sidewalks, in the amount of $15,310.00.

Denise Porter-Ross moved approval. Motion carried. Copy to be sent to Finance Department.

23. Approval of Barrett Law Claims in the amount of $4,327.89.

John Suarez moved approval. Motion carried. Claims to be sent to Finance Department.

24. Approval of General Accounting Claims in the amount of $828,839.00.

Denise Porter-Ross moved approval. Motion carried. Claims to be sent to Finance Department.

25. Old Business.

26. New Business.

i. Approval to allow Sondra Busche, 2908 Sherborne Boulevard, to participate in Barrett Law Assessment for Resolution #6845-03, Sherborne Boulevard (Hastings Road to Vance Avenue) – Curbs and Drive Approaches. The final assessment cost for this project will be $880.73.

Denise Porter Ross: This is the second person on this block that has come in after the date. Was there difficulty in getting them to the hearings? Justin Brugger: Ms. Busche stated in her note that the letter she received from the City fell into her recliner chair and she didn't notice it until her chair was being repaired.

John Suarez moved approval. Motion carried. Copy to be sent to Barrett Law.

ii. Approval of Emergency Resolution #90-294-25, Kreager Park, to replace an existing 12" ACP sanitary sewer pipe that has collapsed at the northwest corner of Kreager Park, east of Lake Forest Apartments.

Mike Hicks: This is for repair of a 12" sanitary line that has collapsed. It is located in the northwest corner of Kreager Park. It runs north and south, just east of Lake Forest Apartments. We can't dig it up, because it is too close to the apartment complex. We can't line it, so we are going to try to do a pipe burst on this project. We are going to invite three contractors to do the work. It is approximately 300' long.

John Suarez moved approval. Motion carried. Copy to be herein incorporated.

iii. Approval of City Utilities' delinquent account write-offs for July 2003 in the amount of $62,950.47.

Denise Porter-Ross moved approval. Motion carried. Copy to be sent to CU Accounting.

Meeting adjourned at 9:35 a.m.

Robert P. Kennedy, Chairman

NOT PRESENT JmB
John Suarez, Member

Denise Porter-Ross, Member

ATTEST: J. P. Brugger
Justin Brugger, Clerk

BOARD OF STORMWATER MANAGEMENT MINUTES
SEPTEMBER 10, 2003

BOARD OF STORMWATER MANAGEMENT
ROOM 250 – OMNI ROOM
MEETING HELD AT 9:37 AM

GREG MESZAROS, CHAIRMAN
JOHN SUAREZ, MEMBER
DENISE PORTER-ROSS, MEMBER
JUSTIN BRUGGER, CLERK

Present: All Members and Clerk. Bob Kennedy - Associate Director of Public Works and Utilities; Chuck Bailey and Carl Wilson - Contract Compliance; Mary Jane Slaton - Development Services; Ken Nicolet - Public Works Administration. Kristine Degabriele – Associate City Attorney; Bill Maxwell – Planning and Design Services; Ron Sheppard – Engineering Support Services.

1. Approval of Board of Stormwater Management Minutes of September 3, 2003.
   John Suarez moved approval. Greg Meszaros seconded the motion. Suarez, Meszaros: Aye. Porter-Ross: Abstained.

2. Approval of Storm Sewer Contract #2003-ST-10 between the City of Fort Wayne and NPT Development Corporation for Saddle Brook Section II and Villas.
   Mary Jane Slaton: This consists of 53 lots on approximately 16 acres. This is Section II of the development and some villas, which is located south of Coldwater Road and west of Coldwater.
   Denise Porter-Ross moved approval. Motion carried. Copy to be placed on file in vault.

3. Old Business.

4. New Business.

Meeting adjourned at 9:37 a.m.

Greg Meszaros, Chairman

not present jms
John Suarez, Member

Denise Porter-Ross, Member

ATTEST: Justin Brugger
Justin Brugger, Clerk

BOARD OF STORMWATER MANAGEMENT MINUTES
SEPTEMBER 17, 2003

ROOM 250 – OMNI ROOM
MEETING HELD AT 9:31 AM

GREG MESZAROS, CHAIRMAN
JOHN SUAREZ, MEMBER
DENISE PORTER-ROSS, MEMBER
JUSTIN BRUGGER, CLERK

Present: Greg Meszaros, Denise Porter-Ross, and Justin Brugger. Robert P. Kennedy – Director of Public Works and Utilities; Kristine DeGabriele – Associate City Attorney; Ken Nicolet – Public Works Administration; Jack Suter – Development Services; John Perlich – Public Information Officer; Absent: John Suarez.

1. Approval of Board of Stormwater Management Minutes of September 10, 2003. Denise Porter-Ross moved approval. Motion carried. Copy to be herein incorporated.

2. Approval of Sewer Contract #2003-ST-11 between the City of Fort Wayne and Creekwood Developers, LLC, to construct a local storm drainage system to serve Creekwood Section IV.
   Jack Suter: Creekwood Section IV is near the intersection of St. Joe Center and Lahmeyer Roads on the south side of St. Joe Center Road. This particular section of Creekwood has 35 lots, and 2,119 feet of new storm sewer.
   Denise Porter-Ross moved approval. Motion carried. Sewers to be constructed.

3. Old Business

4. New Business

Meeting adjourned at 9:32 a.m.

Greg Meszaros, Chairman

not present jmb
John Suarez, Member

Denise Porter-Ross
Denise Porter-Ross, Member

ATTEST: Justin Brugger
Justin Brugger, Clerk

BOARD OF PUBLIC WORKS MINUTES
SEPTEMBER 24, 2003

BOARD OF PUBLIC WORKS
ROOM 250—OMNI ROOM
MEETING HELD AT 9:00 A.M.

ROBERT P. KENNEDY, CHAIRMAN
JOHN SUAREZ, MEMBER
DENISE PORTER-ROSS, MEMBER
JUSTIN BRUGGER, CLERK

Present: Robert P. Kennedy, Denise Porter-Ross, and Justin Brugger. Greg Meszaros – Director of Public Works and Utilities; Kristine DeGabriele – Associate City Attorney; Ken Nicolet, Rick Orr, and Michelle Nelson – Public Works Administration; Mark Gensic, Mike Thornson, Matthew Wirtz, and Nathan Baggett – Planning and Design Services; Jack Suter – Development Services; Chuck Bailey and Carl Wilson – Contract Compliance; Ron Sheppard – Engineering Support Services; Mario Trevino – Transportation Engineering Services; John Perlich – Public Information Officer; Molly McCray – City Council Research Assistant. Absent: John Suarez.

1. Improvement Resolution #290-03: Miscellaneous Street Light Package 2003-A Street Light Improvement.

BIDDERS	BASE BID
Lights & Signals	**23,751.50**
Robert Henry	25,328.00
Engineer's Estimate	**$34,866.00**

2. Improvement Resolution #1606-03: Shackelford Lift Station Abandonment.

BIDDERS	BASE BID
All Star Construction	21,000.00
Bercot Inc.	18,693.00
Crosby Excavating	**8,985.00**
Fleming Excavating	32,107.00
Indiana Construction	11,329.00
Engineer's Estimate	**$50,000.00**

3. Approval of Board of Public Works Minutes of September 17, 2003.
Denise Porter-Ross moved approval. Motion carried. Copy to be herein incorporated.

4. **AWARD:** Improvement Resolution #1586-03, Philley Avenue Sanitary Sewer, to Crosby Excavating in the amount of $122,642.00. Contract Compliance concurs with this award. Prior approval has been requested.
Denise Porter-Ross moved approval. Motion carried. Notice of Award to be sent.

5. **AWARD:** Improvement Resolution #1546-02, Wadington Road Sanitary Sewer Extension, to All Star Construction in the amount of $58,164.00. Contract Compliance concurs with this award.
   Denise Porter-Ross moved approval. Motion carried. Notice of Award to be sent.

6. **AWARD:** Improvement Resolution #6962-03, Bluffton Road and Lower Huntington Road Intersection, to Lights & Signals, Inc., in the amount of $40,993.00. Prior approval has been requested. Contract Compliance concurs with this award.
   Denise Porter-Ross moved approval. Motion carried. Notice of Award to be sent.

7. **AWARD:** Improvement Resolution #6968-03, Temple Drive, to Widner Paving in the amount of $58,474.50. Contract Compliance concurs with this award.
   Denise Porter-Ross moved approval. Motion carried. Notice of Award to be sent.

8. Approval of Construction Contract #6944-03, Arlington Avenue: Oakdale to Rudisill, between the City of Fort Wayne and Hipskind Concrete in the amount of $134,811.00.
   Denise Porter-Ross moved approval. Motion carried. Contract to be sent to City Council.

9. Approval of Construction Contract #6947-03, Congressional Parkway, between the City of Fort Wayne and Hipskind Concrete in the amount of $230,463.50.
   Denise Porter-Ross moved approval. Motion carried. Notice to Proceed to be sent.

10. Approval of Change Order #1 - Final received from Key Concrete for Contract #6938-03, Miscellaneous Construction Package 2-A-03, decreasing the original contract amount by $35.25. The original contract amount was $12,211.00. Including this change order, the new contract amount will be $12,175.75.
    Denise Porter-Ross moved approval. Motion carried. Contract price decreased.

11. Approval of Change Order #1 - Final received from Newell Construction for Contract #6937-03, Arlington Park Phase II Concrete Repairs, decreasing the original contract price by $11,419.16. The original contract price was $94,524.00. The new contract price will be $83,104.84.
    Mario Trevino: This final change order involves lower quantities for concrete pavement construction and removal. We estimated a little high in the adjacent slabs that had to be removed. We used more compacted stone, anchor bolts, underdrain, and topsoil than anticipated. The sidewalk quantity was a little greater because of curbramp construction and walk adjacent to that to achieve a particular grade.
    Denise Porter-Ross moved approval. Motion carried. Contract price decreased.

12. Approval of Change Order #1 - Final received from Key Concrete for Contract #6908-03, Miscellaneous Construction Package 4-A-03, decreasing the original contract price by $213.78. The original contract price was $24,773.00. The new contract price will be $24,559.22.
    Mario Trevino: The bulk of this change order can be attributed to lower quantities for sidewalk. All the other items were just marginally under or over.
    Denise Porter-Ross moved approval. Contract price decreased.

13. Approval of Change Order #1 - Final received from Key Concrete for Contract #6961-03, Woodhurst Addition Concrete Street Repairs, increasing the contract amount by

$2,348.80. The original contract price was $61,370.00. The new contract price will be $63,718.80.

Mario Trevino: The bulk of this change order is for additional concrete pavement construction and removal to drain the roadway, because we also installed new structures and drainage pipe on the project.

Denise Porter-Ross moved approval. Motion carried. Contract price increased.

14. Approval of Change Order #1 – Final received from Brooks Construction for Contract #6889-02, Ewing Street Phase II, decreasing the original contract price by $27,201.70. The original contract price was $203,400.98. The new contract price will be $176,199.28.

    Mario Trevino: This change order involves several decreases and increases on various items. We had a major change on the project involved in trading off the proposed 12-inch concrete pavement as part of the plan, and we used nine-inch concrete pavement instead and integrated compression joints to match the existing pavement. Another considerable savings was trading off curb-faced sidewalk for common walk construction and restoration. There was also less concrete removal and ramp construction quantity used. Where we planned to replace existing inlets, we only replaced one. We created a new item for two new catchbasins, and fortunately, did not have to use any of the 12-inch concrete pipe. All of the other items were only marginally under or over the planned quantity.

    Denise Porter-Ross moved approval. Motion carried. Contract price decreased.

15. Approval of Special Street Permit granted to Tri-North Development, LLC, and their Agent(s) to construct in accordance with approved Plans and Profiles, the following Streets in the City of Fort Wayne: Riley Drive, Noble Ridge Place, Longmont Place, and Singletree Place.

    Mike Fruchey: This will service 75 residential lots. The total length of all sections is 2,585.21 LF. This residential street construction will consist of our standard 27' wide roadway with 2' rolled concrete curb sections and our standard asphalt pavement section consisting of four inches of bitumous material over ten inches of compacted aggregate base. Also, concrete sidewalks and curbramps will be constructed with this development. All construction will be consistent with City of Fort Wayne standards.

    Denise Porter-Ross moved approval. Motion carried. Streets to be constructed.

16. Approval of recommendation from Engineering Support Services to accept the work performed by Kurtz Excavating for Water Contract #2003-W-07, Springfield IV – Water, as an integral part of the City's water distribution system.

    Denise Porter-Ross moved approval. Motion carried. Acceptance Letter to be sent.

17. Approval of recommendation from Engineering Support Services to accept the work performed by Odle, Inc. for Contract #1553-03, Exterior Cleaning and Painting of Four Million Gallon Northwest Concrete Ground Storage Water Tank and Pump Station Building as and integral part of the City's water distribution system.

    Denise Porter-Ross moved approval. Motion carried. Acceptance Letter to be sent.

18. Approval of recommendation from Engineering Support Services to accept the work performed by T-E Incorporated for Water Contract #2003-W-14, Pettit Avenue Water Main Extension, as an integral part of the City's water distribution system.

    Denise Porter-Ross moved approval. Motion carried. Acceptance Letter to be sent.

19. Approval of Escrow Agreement between the City of Fort Wayne and Bunn Excavating for Contract #584-98, Bob Arnold/Northside Park Area Storm Sewer, in the amount of $99,493.46.
Denise Porter-Ross moved approval. Motion carried. Agreement to be sent to Escrow Agent.

20. Approval of Water Contract #2003-W-17, Stone Creek Section IV, between the City of Fort Wayne and Tri-North Development, LLC, to construct water main systems, including all necessary fittings, to serve Stone Creek Section IV. This project is privately funded and located inside the City of Fort Wayne.
(See below.)

21. Approval of Sanitary Sewer Contract #2003-S-24, Stone Creek Section IV and Stone Creek Commercial, between the City of Fort Wayne and Tri-North Development, LLC, to construct a local sanitary sewer system to serve Stone Creek Section IV and Stone Creek Commercial. This project is privately funded, located inside the City of Fort Wayne, and is in a green zone.
Jack Suter: (Addressing Items 20 & 21) This is on the west side of Coldwater between Cook and Wallen Roads. It is 75 lots, and the contract before you proposes to add about 2,800 feet of new water line. The sanitary sewer contract will serve some six commercial lots. There is approximately 2,800 feet of sewer line involved in that.
Denise Porter-Ross moved approval of Items 20 and 21. Motion carried. Water and sanitary sewer lines to be constructed.

22. Approval of Sanitary Sewer Contract #2003-S-26, Villas at Northbrook Section I Sanitary, between the City of Fort Wayne and Chestnut Group, Inc., to construct a local sanitary sewer system to serve Villas at Northbrook Section I. This project is privately funded, located inside the City of Fort Wayne, and is in a green zone.
Jack Suter: This is on the south side of Dupont Road, a little east of Lima Road. The project will include 36 villa units as well a commercial site. It is on 16 acres and we have 900 feet of new sewer line.
Denise Porter-Ross moved approval. Motion carried. Sanitary sewers to be constructed.

23. Approval of agreement between the City of Fort Wayne and the State of Indiana to construct improvements to the West Jefferson Boulevard Trail. Proposed improvements include a bike/pedestrian trail on West Jefferson Boulevard from Swinney Park to Rockhill Park. The project const is approximately $436,650.00. The City's share is $87,330.00 to be funded through the CEDIT Account.
Dave Ross: The Indiana Department of Transportation (INDOT) has let bids, and Brooks Construction is the apparent low bidder on this project. This is a standard agreement between the City of Fort Wayne and INDOT agreeing to partner on this project and share in the cost and responsibilities. The amount that you have here is budget amount that would include the construction, construction management, and other miscellaneous costs associated with the project. INDOT has pointed out that money that we spent on the design of this project will be credited towards our local share. If everything goes well, we will hopefully be able to start construction on the trail portion of the project within 30 days. It doesn't give us a big construction window, but a lot of this project is landscaping that will take place when the plants become dormant and they can plant

those. The completion date for this project is November 2004, particularly for the landscaping.
Denise Porter-Ross moved approval. Motion carried. Copy to be placed on file in vault.

24. Approval of Professional Services Agreement between the City of Fort Wayne and Griffin Real Estate, Inc., for appraisal and buying services for three easements along Lake Avenue. The cost of the agreement is not to exceed $7,625.00.
Matthew Wirtz: This agreement is associated with the Lake Avenue feeder main that we are going to construct in the future. It is also incorporated with some road improvements that we are going to do on Lake Avenue.
Denise Porter-Ross moved approval. Motion carried. Copy to be placed on file in vault.

25. Approval of Amendment #1 to Professional Services Agreement between the City of Fort Wayne and Bonar Group for the design of Northwest Feeder Main Phase II. The not-to-exceed amount for this amendment is $140,000.00, and the revised contract amount is $149,900.00. Planning and Design Services recommends approval.
Matthew Wirtz: The original Professional Services Agreement was started in April of this year, and was for the design study of the routes between the plant and Science Central. That was Phase I, which confirmed the route was okay. Phase II will proceed with preliminary design. Phase III will be tackled in 2004.
Denise Porter-Ross moved approval. Motion carried. Copy to be placed on file in vault.

26. Approval of Resolution #1636-03, Coverdale Lift Station Pump Installation, authorizing the installation of a new pump, suction elbow, and pump railings to replace an existing pump and related equipment at the Coverdale Lift Station. This project is to be funded through the Sewer Utility.
Mark Gensic: This is a big lift station, about 4MGD on the southwest side of the city near the I-469 corridor. That pump station has four existing pumps, and one is worn out. It is about 20 years old.
Denise Porter-Ross moved approval. Motion carried. Copy to be herein incorporated.

27. Approval of Emergency Resolution #90-312-27, Concrete Pavement Repair at 4415 Old Mill Road.
Mario Trevino: This seeks to remedy a chronic drainage problem behind the curb. This location began with a minor pooling of water and has grown into a substantial problem. We sent proposals to three contractors, and we reviewed and analyzed the bids. We are now prepared to award the contract to the lowest qualified bidder, and that is TriScape, Inc., for $739.30. The engineer's estimate was $1,618.65. The project is to be completed by October 1.
Denise Porter-Ross moved approval. Motion carried. Copy to be herein incorporated.

28. Approval of Barrett Law Claims in the amount of $66,823.40 for the week of September 24, 2003.
Denise Porter-Ross moved approval. Motion carried. Claims to be sent to Finance Department.

29. Approval of General Accounting Claims in the amount of $6,972,970.82 for the week of September 24, 2003.
Denise Porter-Ross moved approval. Motion carried. Claims to be sent to Finance Department.

30. Old Business.

31. New Business.

i. Approval of Agreement between the City of Fort Wayne and Northeast Indiana Innovation Center allocating $15,000 from Council At-Large CEDIT funds to be used for consulting services for development of innovation for entrepreneurship strategies. Rick Orr: The Northeast Indiana Innovation Center is an organization that is partially funded by City of Fort Wayne CEDIT dollars for economic development, Allen County, and various private funding sources. Their primary focus is on creating high-growth, high-wage, technology-based jobs. This particular contact is to try to analyze and identify economic sectors that may have the best opportunity for additional business and entrepreneurship type of opportunities. ...also identifying particular changes that maybe could be made to enhance those type of opportunities. Of course, the At-Large (Councilmembers) offered to contribute $15,000.00 towards the cost of the consulting agreement with their CEDIT dollars. Denise Porter-Ross moved approval. Motion carried. Copy to be herein incorporated.

Meeting adjourned at 9:35 a.m.

Robert P. Kennedy, Chairman

jmB
ABSTAINED. NOT PRESENT 09-24-03
John Suarez, Member

Denise Porter-Ross, Member

ATTEST: _____
Justin Brugger, Clerk

BOARD OF STORMWATER MANAGEMENT MINUTES
SEPTEMBER 24, 2003

ROOM 250 – OMNI ROOM
MEETING HELD AT 9:31 AM

GREG MESZAROS, CHAIRMAN
JOHN SUAREZ, MEMBER
DENISE PORTER-ROSS, MEMBER
JUSTIN BRUGGER, CLERK

Present: Greg Meszaros, Denise Porter-Ross, and Justin Brugger. Robert P. Kennedy – Associate Director of Public Works and Utilities; Kristine DeGabriele – Associate City Attorney; Ken Nicolet – Public Works Administration; Mike Thornson – Planning and Design Services; Jack Suter – Development Services; John Perlich – Public Information Officer; Absent: John Suarez.

1. Approval of Board of Stormwater Management Minutes of September 17, 2003.
   Denise Porter-Ross moved approval. Motion carried. Copy to be herein incorporated.

2. Approval of Storm Contract #2003-ST-12 between the City of Fort Wayne and Tri-North Development, LLC, to construct a local storm drainage system to serve Stone Creek Section IV.
   Jack Suter: This provides for 4,200 feet of new storm sewer that will be accepted by us once it is constructed.
   Denise Porter-Ross moved approval. Motion carried. Sewers to be constructed.

3. **IMPROVEMENT RESOLUTION #1569-03**, Westlane Road Storm Drainage Improvement.
   Mike Thornson: This resolution is complaint generated. There is quite a bit of street flooding, and essentially, a lake across many of the backyards in this area. A few years back, there was a street and drainage improvement for the Reed Rd./Trier Rd. intersection. At the time we installed some oversized storm sewers, and it was intended to extend those sewers into this neighborhood to alleviate their flooding problems, and that is what this project will do. There are five easements involved. Property owners are providing the easements and have also agreed to wave their right to a public hearing. The project is totally funded by Stormwater Utility revenues.
   Denise Porter-Ross moved approval. Motion carried. Copy to be herein incorporated.

4. Old Business

5. New Business

Meeting adjourned at 9:37 a.m.

Greg Meszaros, Chairman

John Suarez, Member

Denise Porter-Ross, Member

ATTEST: _____
Justin Brugger, Clerk

BOARD OF PUBLIC WORKS MINUTES
OCTOBER 1, 2003

BOARD OF PUBLIC WORKS
ROOM 250—OMNI ROOM
MEETING HELD AT 9:00 A.M.

ROBERT P. KENNEDY, CHAIRMAN
JOHN SUAREZ, MEMBER
DENISE PORTER-ROSS, MEMBER
JUSTIN BRUGGER, CLERK

Present: All Members & Clerk. Greg Meszaros - Director of Public Works and Utilities. David Ross - City Engineer. Mark Gensic, Bill Maxwell, Pat Callahan, and Matthew Wirtz - Planning and Design Services. Mary Jane Slaton and Jack Suter - Development Services. Ron Sheppard - Engineering Support Services. Mario Trevino – Transportation Engineering Services. James Howard – Purchasing Director. George Cook, Jim Riemke, Richard Bacon, and Al Lichtsinn – Street Light Engineering. Kristine Degabriele - Associate City Attorney. Chuck Bailey and Carl Wilson - Contract Compliance. Ken Nicolet - Public Works Administration. Molly McCray – City Council Research Assistant.

1. **RECEIVE BIDS:** Improvement Resolution #288-03: *West Jefferson Boulevard Street Light Improvement*

BIDDERS	**BASE BID**
Lights and Signals, Inc.	$62,796.40
Robert Henry Corporation	**$34,222.76**
Engineer's Estimate	**$51,725.00**

2. Approval of Board of Public Works Minutes of September 24, 2003.
   Denise Porter-Ross moved approval. Motion carried. Copy to be herein incorporated.

3. **AWARD:** Improvement Resolution #290-03, *Miscellaneous Street Light Package 2003-A*, to Lights and Signals, Inc., in the amount of $23,751.50. Contract Compliance concurs with this award.
   John Suarez moved approval. Motion carried. Notice of Award to be sent.

4. **AWARD:** Improvement Resolution #1606-03, *Shackelford Lift Station Abandonment*, to Crosby Excavating in the amount of $8,985.00. Contract Compliance concurs with this award.
   Denise Porter-Ross moved approval. Motion carried. Notice of Award to be sent.

5. **IMPROVEMENT RESOLUTION** # 1584-03*, Evard Road Relief Sewer.*
   Pat Callahan: The sewers in the Evard/Rothman Subbasin were built by Imbalco before the City acquired them. We have been doing a number of improvements to them over the years. Currently, we have a new lift station going in, (and) a bigger force main to take care of greater flows downstream. We have been waiting for that project to

move along to do this one. This one is a relief sewer. In this neighborhood, we have a 15-inch sewer, a 12-inch sewer, and an eight-inch sewer coming into a manhole, and a 12-inch sewer going out of a manhole; so you can guess what happens when it rains hard. We will be putting in a new 15-inch sewer that will bypass - it is strictly a relief sewer. It's a high-level relief; as the sewers surcharge, the excess flow will go into the 15 inch. It will deliver it to a lift station – an existing lift station at Evard that will pump it to the new lift station that we are building now. So, hopefully, we will eliminate a bunch of backups in that area with this project along with the completion of the other one.

John Suarez moved approval. Motion carried. Copy to be herein incorporated.

6. Approval of recommendation from Engineering Support Services to accept the work performed by Star Excavating for Water Contract #2002-W-18, *Air Guard Fuel Cell Building Water Main Extension*, as an integral part of the City's water distribution system.

   Denise Porter-Ross moved approval. Motion carried. Acceptance Letter to be sent.

7. Approval of recommendation from Engineering Support Services to accept the work performed by Kurtz Excavating, Inc., for Water Contract #2003-W-01, *Sorrento Section II – Water*, as an integral part of the City's water distribution system.

   John Suarez moved approval. Motion carried. Acceptance Letter to be sent.

8. Approval of recommendation from Street Light Engineering to accept the work performed by Lights and Signals, Inc., for Improvement Resolution #282-03, *Wallen Hills Addition*, as an integral part of the City's street lighting system.

   Denise Porter-Ross moved approval. Motion carried. Acceptance Letter to be sent.

9. Approval of recommendation from Street Light Engineering to accept the work performed by Lights and Signals, Inc., for Improvement Resolution #285-03, *Miscellaneous Street Light Package - 2003*, as an integral part of the City's street lighting system.

   John Suarez moved approval. Motion carried. Acceptance Letter to be sent.

10. Approval of recommendation from Transportation Engineering Services to accept the work performed by Primco, Inc., for Improvement Resolution #6953-03, *Pettit-Rudisill Neighborhood Improvements*, as an integral part of the City's transportation system.

    Denise Porter-Ross moved approval. Motion carried. Acceptance Letter to be sent.

11. Approval of recommendation from Transportation Engineering Services to accept the work performed by Pioneer Associates, Inc., for Improvement Resolution #6898-02, as an integral part of the City's transportation system.

    John Suarez moved approval. Motion carried. Acceptance Letter to be sent.

12. Approval of recommendation from Transportation Engineering Services to accept the work performed by Brooks Construction for Improvement Resolution #6946-03, Barthold Street: Third Street to Spring Street, as an integral part of the City's transportation system.

    See item 13.

13. Approval of recommendation from Transportation Engineering Services to accept the work performed by Brooks Construction for Improvement Resolution #6804-01, Jefferson Boulevard – West Railroad Viaduct to St. Mary's River Bridge, as an integral part of the City's transportation system.
Bob Kennedy: (Regarding) items 12 and 13, we have been asked by Transportation Engineering Services to table these until next week.
Denise Porter Ross moved to table items 12 and 13 until next week. Motion carried. Items to be placed on next week's agenda.

14. Approval of recommendation from Transportation Engineering Services to accept the work performed by Key Concrete for Improvement Resolution #6917-03, Lincoln Park Neighborhood, as an integral part of the City's transportation system.
John Suarez moved approval. Motion carried. Acceptance Letter to be sent.

15. Approval of recommendation from Transportation Engineering Services to accept the work performed by Benchmark Construction for Improvement Resolution #6927-03, Beechwood Drive, as an integral part of the City's transportation system.
Denise Porter-Ross moved approval. Motion carried. Acceptance Letter to be sent.

16. Approval of Construction Contract #1586-03, *Philley Avenue Sanitary Sewer*, between the City of Fort Wayne and Crosby Excavating in the amount of $122,642.00.
Denise Porter-Ross: I have a question. (Ron Sheppard approaches the podium.) When we had a public hearing for Philley Avenue, there was a controversy with some of the residents in that area as to whether they would be satisfied with the project. Has that been completely resolved?
Ron Sheppard: I wasn't at the public hearing, so I'm not sure what the dispute was.
Denise Porter-Ross: Okay, then I would like to table this so we can check.
Ron Sheppard: That's fine. Holding it for a week won't bother us.
Denise Porter-Ross moved to table. Motion carried. Item to be placed on next weeks agenda.
Item addressed again under New Business.

17. Approval of Construction Contract #1606-03, *Shackelford Lift Station*, between the City of Fort Wayne and Crosby Excavating in the amount of $8,985.00.
John Suarez moved approval. Motion carried. Notice to Proceed to be sent.

18. Approval of Change Order #2 received from Primco, Inc., for Construction Contract #6936-03, *Pontiac Street and Wayne Trace Intersections*, increasing the contract price by $25,653.55. The original contract price was $1,258,961.22. Including this change order, the new contract price will be $1,320,934.20.
Dave Ross: This is work that wasn't covered when they were doing the utility relocations and stormsewer work on the Pontiac/Wayne Trace roundabouts. The big item on the change order is the railroad ties that were located underneath the subgrade. We knew that there were railroad ties there during our geotech investigation. We didn't know the complete extent; therefore, we did plan on this being a change order item that we would charge as time and materials for the amount of railroad ties uncovered. The other items are primarily utility lines that were uncovered that were not known about earlier in their removal. There is some repair work on sanitary sewer lines. This is work they uncovered that was unknown going into the project. We did expect some of this. We are still uncovering sanitary sewer

lines in this area as we report to the Board, but is work that they have uncovered and completed so far.
Denise Porter-Ross: Are we still looking at a November completion date?
Dave Ross: Actually, we hope to – they plan to start paving this Thursday, weather allowing. So we are going to see a lot of surface progress starting this week. We are still projecting opening up the roadway portion by November, weather permitting.
Denise Porter-Ross: Okay, you we asking for an extension in time I think but that's...
Dave Ross: The last change order – this change order, is adding approximately adding ten working, or ten calendar days on the project. I know that the contractor did submit a letter for our consideration to extend the project, but we told them that it is really up to them to get the resources together to get the roadway open before winter weather sets in; and so they are working really hard.
Bob Kennedy: Dave, thanks for you and Kevin Okleshen, I know you have been putting a lot of time in this the last couple weeks trying to keep this project moving, so thanks for your effort.
Dave Ross: It has been a challenging project, but it is coming along very well now.
Denise Porter-Ross moved approval. Motion carried. Contract price increased.

19. Approval of Professional Services Agreement between the City of Fort Wayne and the United States Geological Survey, to operate the gauging stations at Cedar Creek near Cedarville, in addition to the St. Joseph and Maumee Rivers in Fort Wayne. Compensation for services performed shall be $23,950.00.
Dave Ross: This is an annual agreement with the USGS to partner on our flood control monitoring and forecasting with the gauging stations in the various rivers. I will point out that your agenda says the compensation is $23,950.00; that's the total amount. We are sharing the cost with the USGS, and the City's portion of this project is $13,280.00. So it is a partnership and we do share the cost with them.
John Suarez moved approval. Motion carried. Copy to be placed on file in vault.

20. Approval of Professional Services Agreement between the City of Fort Wayne and Bonar Group for engineering services associated with program management for lift station capital projects in the amount of $40,000.00 to be funded through the Sewer Utility.
Mark Gensic: In our sewer system we have a number of pump stations throughout the City and it is important to keep these operating routinely 24 hours a day, seven days a week. Otherwise, we will have backups. We have a number of capital improvements that need to be done to these stations including such things as bar screens, telemetry and controls, pump replacements, electrical improvements, and those kinds of things. We have negotiated with Bonar & Associates, who has proven themselves on several pump station projects in the past. Specifically, on several projects they have done with Pat Callahan. We are proposing to use their services to get these capital improvements designed. We are working very closely with our Water Pollution Control staff and our Maintenance Department on getting the capital improvements done. The capital improvements are in this year's budget. We will again budget for them next year; and basically, this year we are charging their time for the work orders and capital on these programs.
Denise Porter-Ross moved approval. Motion carried. Copy to be placed on file in vault.

21. Approval of Professional Services Agreement between the City of Fort Wayne and Griffin Real Estate Services, Inc., to provide on-call appraisal services for 12 months at a price not to exceed $20,000.

See item 22.

22. Approval of Professional Services Agreement between the City of Fort Wayne and Verne V. Mitchell & Associates to provide on-call appraisal services for 12 months at a price not to exceed $20,000.00.

Mary Jane Slaton: *Addressing items 21 and 22.* Items 21 and 22 are similar contracts for on-call appraisal services. For the past two years, we have had contracts with two appraisers for on-call services. We use these when we need maybe one appraisal or a couple of appraisals on a project. Having an on-call contract with established prices sort of quickens our process. It allows us to call-in an appraiser and tell them that we need a couple of appraisals; and then they can go ahead and do those under an on-call services agreement without our having to come back to the Board and have a contract for each appraisal. In the past year, we have spent about $18,000.00 on appraisals under our existing contract. We went through a new round of RFQ's and received Statements of Qualifications from three firms, Griffin Real Estate, Verne Mitchell & Associates, and also from Larry Misner & Associates, and we are going to enter into contracts with all of those. We are still waiting for Mr. Misner to return his contract. We wanted to go ahead with these two today. Our existing contracts expire on October 8, and we want to have a seamless transition to have new contracts in place.

Denise Porter Ross moved approval of Items 21 and 22. Motion carried. Copies to be placed on file in vault.

23. Approval of Encroachment License Agreement between the City of Fort Wayne and Bef Reit, Inc.

Jack Suter: BEF stands for Bob Evans' Farm. When they built a new restaurant near I-469 and Maysville Road, the site also included a sewer line. The sewer line went under their parking lot. We thought that they should acknowledge the fact that we have a sewer line there and if there are any problems, we have the right to go in and dig up the parking lot.

John Suarez moved approval. Motion carried. Encroachment License to be sent to Allen County Recorder's Office.

24. Approval of signage declaring East Lewis Street between South Anthony and South Lafayette as Elizabeth Dobynes Memorial Way.

Ken Nicolet: You have before you this morning a letter of request from Reverend Michael Latham asking that the Board of Works approve an Elizabeth Dobynes Memorial Way on East Lewis between South Anthony and South Lafayette. The late Elizabeth Dobynes was a former NAACP local president for nine years. The memorial way would not change the name of the street, but would add six signs to East Lewis Street.

Denise Porter-Ross moved approval. Motion carried. Copy to be herein incorporated.

25. Approval of Escrow Agreement between the City of Fort Wayne and All Star Construction for Construction Contract #1505-03, *Lake Forest Force Main Replacement*, in the amount of $19,276.35.

John Suarez moved approval. Motion carried. Copy to be sent to escrow agent.

26. Approval of Escrow Agreement between the City of Fort Wayne and Land Construction for Construction Contract #1536-03, *Fort Wayne Airport: Keller Road – Perimeter Drive Water Main Replacement*, in the amount of $23,438.00.

Denise Porter-Ross moved approval. Motion carried. Copy to be sent to escrow agent.

27. Approval of Sanitary Sewer Contract #2003-S-29, between the City of Fort Wayne and Chestnut Dupont Partnership, to construct a local sanitary sewer system to serve 1425 West Dupont Road. This project is privately funded, located inside the City of Fort Wayne, and is in a green zone.
    Jack Suter: This is on the south side of Dupont Road, east of Lima Road. There is going to be a buffalo wing restaurant there, and this is a very short extension of existing sewer to serve that site.
    John Suarez moved approval. Motion carried. Sewer to be constructed.

28. Approval of Water Contract #2003-W-15, between the City of Fort Wayne and Reinig Development Corporation, LLC, to construct water main systems, including all necessary fittings, to serve Estates of Sandy Pointe Section II. This project is privately funded and located inside the City of Fort Wayne.
    Jack Suter: This is in the southwest quadrant of the intersection of Dupont and Auburn Road. This is a relatively small section, it serves 18 lots, and the water line is 1,100 feet long.
    John Suarez moved approval. Motion carried. Water lines to be constructed.

29. Approval of Barrett Law Claims in the amount of $27,840.35 for the week of October 1, 2003.
    Denise Porter-Ross moved approval. Motion carried. Claims to be sent to Finance Department.

30. Approval of General Accounting Claims in the amount of $4,327,991.06 for the week of October 1, 2003.
    John Suarez moved approval. Motion carried. Claims to be sent to Finance Department.

31. Old Business.

32. New Business.

    i. Approval of Construction Contract #6967-03, *Public Sidewalk Curb Ramp Packages # & 4 – 2003*, between the City of Fort Wayne and Key Concrete, in the amount of $114,635.00.
        Bob Kennedy: For the record, one of the curb ramps in this project is on the street I live on, so I am going to abstain from the vote. There is no gain to my property or myself from this curb ramp, but I do want to state for the record that I will be absent from this vote.
        Denise Porter-Ross moved approval. Motion seconded by John Suarez. AYE: Porter-Ross, Suarez. NAY: None. ABSTAIN: Kennedy. Motion passed. Contract to be sent to City Council.

    ii. *Nancy Townsend approaches podium to address Item 16 – Philley Avenue.*
        Denise Porter-Ross: That was a voluntary annexation. When the parties came together, there was not unity in their ranks as far as what they were getting for this. So, has that been resolved?
        Nancy Townsend: Yes, everything was completely resolved very early on in the project. Upon submission of the petition, there was one property owner who was

opposed to it initially. However, with the spring and summer rains, the common septic drain line that goes through their field broke down and started building up septic in the field. Then they understood the importance of getting sanitary sewer service. There was a request for a water main. However, they decided to pursue that later – in a year or two. Other than that, everybody is fully supportive of the project.

Denise Porter-Ross moved to untable. Motion carried.

Denise Porter-Ross moved approval. Motion carried. Will be sent to City Council for approval.

Meeting adjourned at 9:34 a.m.

Robert P. Kennedy, Chairman

John Suarez, Member

Denise Porter-Ross, Member

ATTEST: _____

Justin Brugger, Clerk

NAACP Fort Wayne-Allen County Branch 3049

1307 East Lewis Street
Fort Wayne, IN 46803

Rev. Michael Latham
President

Mr. James Winter
1st Vice President

Mrs. Frances Ganaway
2nd Vice President

Rev. William Gary
3rd Vice President

Mrs. Hana Stith
4th Vice President

Mrs. Deborah Cohen
Secretary

Mr. Greg Smith
Treasurer

September 18, 2003

Robert P. Kennedy RPK
John Suarez J.S.
Denise Porter Rose Jr

APPROVED 10-01-2003
JMB

Mr. Ken Nicolet
Public Works

Facsimile 427- 5553

Dear Ken:

This letter comes requesting signage for a memorial way. This would cover East Lewis between South Anthony and South Lafayette. As you remember we made a similar request for the Rev. Jesse White Memorial Way. We are asking for your support in this matter to recognize another ICON of Fort Wayne. The signs would read as follows:

Elizabeth Dobynes Memorial Way

Again, thanks for your immediate attention to this matter. Any further questions you may contact me at 456-1240 or Deborah Cohen @ 745-4901.

Respectfully,

Michael Latham, President
Fort Wayne-Allen County NAACP Branch

Vote for

✓ELIZABETH DOBYNES

Indiana State Board of NAACP

Fully-Paid, Golden Heritage Life Member

ELIZABETH DOBYNES: President of the Fort Wayne/Allen County Branch of the NAACP for 9 years; retired from Magnavox after 30 years of service; actively involved in the NAACP for more than 40 years; served on the National NAACP Time & Place and Credentials committees; attended all National, Regional and State conventions since 1967 as a voting delegate; served on all State committees; chaired all Branch committees; held all Branch offices; Fort Wayne Youth Advisor for 18 years; an organizer of the Fort Wayne WIN (Women in NAACP); organized Fort Wayne's first Freedom Fund Award Banquet in 1975; trustee of Faith Missionary Baptist Church; produce the live, call-in television show, "The Coalition for Unlearning Racism," for 4.5 years on the public service channel; served on the Board of Associated Churches, on the Mayor's Affirmative Action Committee, and the Ivy Tech College Advisory Board.

AND STILL WILLING TO SERVE.

BOOKMARK

FOR READERS WITH GOOD TASTE

BOARD OF PUBLIC WORKS MINUTES
OCTOBER 8, 2003

BOARD OF PUBLIC WORKS
ROOM 250—OMNI ROOM
MEETING HELD AT 9:00 A.M.

ROBERT P. KENNEDY, CHAIRMAN
JOHN SUAREZ, MEMBER
DENISE PORTER-ROSS, MEMBER
JUSTIN BRUGGER, CLERK

Present: All Members & Clerk. Greg Meszaros - Director of Public Works and Utilities. Bill Maxwell, Mike Thornson, and Matthew Wirtz - Planning and Design Services. Jack Suter and Mary Jane Slaton - Development Services. Ron Sheppard - Engineering Support Services. Mario Trevino and Mark Wilson – Transportation Engineering Services. James Howard – Purchasing Director. George Cook, Jim Riemke, and Al Lichtsinn – Street Light Engineering. Kristine Degabriele - Associate City Attorney. Chuck Bailey and Carl Wilson - Contract Compliance. Ken Nicolet - Public Works Administration. Molly McCray – City Council Research Assistant. John Perlich – Public Information Officer.

1. **RECEIVE BIDS:** Improvement Resolution #673-03: *Ventura-Farwood East Stormwater System Improvement*

BIDDERS	**BASE BID**
All Star Construction	-
Bercot, Inc.	**297,319.00**
Crosby Excavating, Inc.	336,34.50
Fleming Excavating, Inc.	342,420.50
Fox Contractors	460,799.20
Geiger Developing	-
Land Construction	314,544.00
Pyramid Excavating, Inc.	-
Engineer's Estimate	**$337,887.00**

Engineering Support Services to tabulate and report.

2. **RECEIVE BIDS:** Improvement Resolution #1549-03: *2003 Miscellaneous Network Connections*

BIDDERS	**BASE BID**
All Star Construction	**148,055.00**
Geiger Developing	-
Miller Pipeline Corp.	-
Engineer's Estimate	**$148,500.00**

Engineering Support Services to tabulate and report.

3. Approval of Board of Public Works Minutes of October 1, 2003.
Denise Porter-Ross moved approval. Motion carried. Copy to be herein incorporated.

4. **AWARD:** Improvement Resolution #288-03, *West Jefferson Boulevard Street Light Improvement,* to the Robert Henry Corporation in the amount of $34,222.76. Contract Compliance concurs with this award.
John Suarez moved approval. Motion carried. Notice of Award to be sent.

5. **IMPROVEMENT RESOLUTION** #1638-03, *Brooklyn Kinsmoor Tank – Cathodic Protection System.*
Matthew Wirtz: This project is at Brooklyn and Kinsmoor, near Indian Village. In 2001, we repainted the tank, and tore out the existing Cathodic Protection System. We usually wait a year after it is painted to put the system back in, so this contract with Corp Pro who does the tanks' yearly maintenance on all our existing Cathodic Protection Systems on all the other tanks; and with the painting, we installed the brackets and hardware. So basically, they are just showing up and reattaching anodes and rectifying the electrical part of the system on the tank. Cathodic protection is basically a sacrificial system. It is metal that, in loose terms, decays easier than the steel on the tank. The electrical currents in nature attack the anodes, what we hang in the tanks – it attacks that instead of the steel infrastructure of the tank.
Denise Porter-Ross moved approval. Motion carried. Copy to be herein incorporated.

6. Approval of Construction Contract #290-03, *Miscellaneous Street Light Package 2003-A*, between the City of Fort Wayne and Lights and Signals, Inc., in the amount of $23,751.50.
John Suarez moved approval. Motion carried. Notice to Proceed to be sent.

7. Approval of Construction Contract #6968-03, *Temple Drive: Bluffton Road to +/- 220' West*, between the City of Fort Wayne and Widner Paving, Inc., in the amount of $58,474.50.
Denise Porter-Ross moved approval. Motion carried. Notice to Proceed to be sent.

8. Approval of Change Order #1 – Final, received from Key Concrete for Construction Contract #6966-03, *Miscellaneous Construction Package 5-B-03*, increasing the original contract price of $22,309.00 by $819.58. Including this change order, the new contract price will be $23,128.58.
Mario Trevino: This change order can be attributed to three new items added to the project. Trees were omitted when the project began and they should have been part of the project. So, we included those. That is the bulk of the change order.
John Suarez moved approval. Motion carried. Contract price increased.

9. Approval of Change Order #1 – Final, received from Hipskind Concrete for Construction Contract #6955-03, *Hale Avenue: Juliette to Brooklyn*, increasing the original contract price of $57,902.60 by $876.58. Including this change order, the new contract price will be $58,779.18.
Mario Trevino: The planned quantity for curb removal and construction as well as the curb faced walk and steps were estimated high, and so we did not use all of that quantity. We used more quantity for drive approach, because we went a little further back into the drive so we wouldn't have the vehicles bottoming out in those areas. We

used more binder quantity to correct the crown problem on Hale. Traffic Engineering added some signal-related work; and so there were some items added for that. The bed course material was greater, because the walk need to be elevated to get some positive drainage towards the parkstrip. Denise Porter-Ross moved approval. Motion carried. Contract price increased.

10. Approval of Change Order #1 – Final, received from Garcia Concrete for Construction Contract #6930-03, *North Highlands Neighborhood Improvements*, increasing the original contract price of $120,368.05 by $2,533.93. Including this change order, the new contract price will be $122,901.98.
    Mario Trevino: There were several decreases and increases to the planned quantities. The first of those was less quantity for curb removal and construction. We also had less quantity for sidewalk construction. While we used less quantity for bitumous surface, we used more quantity for bitumous binder to match into some of the existing drives. We use less quantity in curb box adjustments in topsoil. Again, we went a little further back into some of the drive quantities so we wouldn't have that bottoming out effect. Lastly, we had a little more quantity in bed course material.
    John Suarez moved approval. Motion carried. Contract price increased.

11. Approval of Change Order #1 – Final, received from Hipskind Concrete for Construction Contract #6878-02, *Leesburg Road*, increasing the original contract price of $400,081.00 by $35,858.63. Including this change order, the new contract price will be $435,939.63.
    Mario Trevino: This final change order involves several increases and decreases. We simply traded off some of the casting item simply because they were in poor condition and needed to be furnished and then replaced. We had a similar tradeoff for curb-faced sidewalk and sidewalk. We basically put in sidewalk that was originally curb-faced sidewalk. There was a stretch of pavement that required a greater depth of milling. In those areas, we had a greater quantity in binder and surface, simply because we were milling down to the concrete layer; and so that affected those quantities. We had cement concrete patching quantity that was greater near the bus company. Obviously, as the busses travel through there, it is a greater load. So, we had a greater amount of damage there. Only a portion of the utility adjustment item was used. We did have some new items on the project. One of those involved additional detour signs and route markers, and the other two involved replacing existing catchbasins and inlets combined that later in the project were also determined to be in poor condition. These costs are to be paid 100% by the Stormwater Utility.
    Denise Porter-Ross moved approval. Motion carried. Contract price increased.

12. Approval of Change Order #1 – Final, received from Newell Construction for Construction Contract #6939-03, *Miscellaneous Construction Package 2-B-03*, increasing the original contract price of $65,184.50 by $283.36. Including this change order, the new contract price will be $65,467.86.
    Mario Trevino: In this final change order, we had a few items where we simply did not use the planned quantity. That was concrete pavement, topsoil, and curbramps. We estimated a little low for anchor bolts and we had to use more compacted aggregate for those areas under the pavement where we discovered voids.
    John Suarez moved approval. Motion carried. Contract price increased.

13. Approval of recommendation from Street Light Engineering to accept the work performed by the Robert Henry Corporation for Improvement Resolution #283-03, *Lima Road Street Lights*, as an integral part of the City's street lighting system.
Denise Porter-Ross moved approval. Motion carried. Letter of Acceptance to be sent.

14. Approval of recommendation from Transportation Engineering Services to accept the work performed by Wayne Asphalt for Improvement Resolution #6914-03, *South Harrison Street: Killea to Rudisill*, as an integral part of the City's transportation system.
Bob Kennedy. We were approached by Contract Compliance and asked to table this item for a week.
Denise Porter-Ross moved to table. Motion carried. Item tabled.

15. Approval of recommendation from Engineering Support Services to accept the work performed by Kurtz Excavating for Sanitary Sewer Contract #2003-S-05, *Morgan Creek Section III – Sanitary,* as an integral part of the City's sanitary sewer system.
John Suarez moved approval. Motion carried. Letter of Acceptance to be sent.

16. Approval of Professional Services Agreement between the City of Fort Wayne and Dennis Kim & Associates for engineering services associated with the design of window replacements for the front of the main building at the Water Pollution Control Plant. The contract amount for this work is $3,000.00. Planning and Design Services recommends approval.
Matthew Wirtz: The windows we are replacing are in a 1940's era building at the WPC Plant – the Administration section of the building. We have heating and cooling problems with those areas. This contract is with Dennis Kim. He is a local architect who has done a lot of work with our Filtration Plant. He is very experience in the older, limestone-type look that we have at both plants. He has worked great with the plant, and so we are looking to get him to help us write some specifications for getting windows that will look okay in those areas and be able to bid this out. We have a $50,000.00 budget for this year.
Denise Porter-Ross moved approval. Motion carried. Notice to Proceed to be sent.

17. Approval of Water Contract # 2003-W-19, between the City of Fort Wayne and North Church of Christ to construct water main systems, including all necessary fittings, to serve Rothman Road Water Main Extension for North Church of Christ.
Jack Suter: The North Church of Christ is building a new facility on Rothman Road. To provide water service, it is necessary for them to extend 1,730 feet of new water line. I should point out that the Utility is participating in that. We have asked them to oversize a line and we would, of course, pay for that oversizing. The purpose of the oversizing is to provide service for what we consider to be a major emerging growth area in the community.
John Suarez moved approval. Motion carried. Water lines to be constructed.

18. Approval of write-off of City Utilities' delinquent Miscellaneous Billings in the amount of $448.03.
John Suarez moved approval. Motion carried. Copy to be sent to Finance Department.

19. Approval of write-off of City Utilities' delinquent Revenue Accounts in the amount of $21,103.66 for the month of July 2003.

Denise Porter-Ross moved approval. Motion carried. Copy to be sent to Finance Department.

20. Approval of Barrett Law Claims in the amount of $28,451.57 for the week of October 8, 2003.
John Suarez moved approval. Motion carried. Copy to be sent to Finance Department.

21. Approval of General Accounting Claims in the amount of $4,947,603.37 for the week of October 8, 2003.
Denise Porter-Ross moved approval. Motion carried. Copy to be sent to Finance Department.

22. Old Business.

23. New Business.

i. Approval of recommendation from Transportation Engineering Services to accept the work performed by Hipskind Concrete for Construction Contract #6955-03, *Hale Avenue: Brooklyn Avenue to Juliette Avenue*, as an integral part of the City's transportation system.
John Suarez moved approval. Motion carried. Letter of Acceptance to be sent.

ii. Approval of recommendation from Transportation Engineering Services to accept the work performed by Key Concrete for Construction Contract #6908-03, *Miscellaneous Construction Package 4-A-03*, as an integral part of the City's transportation system.
Denise Porter-Ross moved approval. Motion carried. Letter of Acceptance to be sent.

iii. Approval of Change Order #1 received from Accent Lawn Manicure Service for *Vegetation Control Services for the Flood Control Project*, increasing the original contract price of $51,318.00 by $11,651.00. Including this change order, the new contract price will be $62,969.00.
Cathy Robb: The need for this change order is comprised of three items. We had to add an additional thousand linear feet of mowing to this contract. Also, we had to, because of the wet summer, add three mowings. This contract is basically comprised of 18 mowings. So, we had to do a total of 21 mowings this year because of the extra rain. Also, during the July flood, we noticed that a lot of our manual flood gauges that let the levy watchers in that particular area know what the level of the river or creek is, were covered with vegetation. So, we had our mowing contractor remove vegetation from approximately 11 of these manual gauges. So, these are the three items that comprise this change order.
Denise Porter-Ross: When we do the contract for next year, are they going to pay special attention to where those gauges are, or are we going to have to do a separate contract for that?
Cathy Robb: It was recommended by our contractor to spray those every year and keep them cleared. So, I am going to add this to the contract.
Denise Porter-Ross moved approval. Motion carried. Contract price increased.

Meeting adjourned at 9:26 a.m

Robert P. Kennedy, Chairman

John Suarez, Member

Denise Porter-Ross, Member

ATTEST: _____
Justin Brugger, Clerk

BOARD OF STORMWATER MANAGEMENT MINUTES
OCTOBER 8, 2003

ROOM 250 – OMNI ROOM
MEETING HELD AT 9:27 AM

GREG MESZAROS, CHAIRMAN
JOHN SUAREZ, MEMBER
DENISE PORTER-ROSS, MEMBER
JUSTIN BRUGGER, CLERK

Present: All Members & Clerk. Robert P. Kennedy – Associate Director of Public Works and Utilities; Chuck Bailey and Carl Wilson – Contract Compliance. Mike Thornson – Planning and Design Services. Mario Trevino –Transportation Engineering Services. John Perlich – Public Information Officer. Mary Jane Slaton – Development Services. Ken Nicolet – Public Works Administration. Ron Sheppard – Engineering Support Services.

1. Approval of Board of Stormwater Management Minutes of September 24, 2003.
   Denise Porter-Ross moved approval. Motion carried. Copy to be herein incorporated.

2. Approval of Professional Services Agreement between the City of Fort Wayne and Earth Tech, Inc., to provide design and engineering services on the Arrow Drive Storm & Sanitary System Improvements. The cost for services provided under this agreement is not to exceed $77,462.00, which will be paid from Stormwater Utility Revenues. Planning and Design Services recommends approval.
   Mike Thornson: This project is on the southwest side of town, on Arrow Drive, between Engle Road and Sandpoint Road. In looking into the problem, there is actually two situations that we noted. One was severe surface flooding on the yards and streets in the area, and the other was some basement backups. The problem was so severe that property owners are getting desperate out there. They have several insurance claims and some threats of cancellation of their insurance. We have identified a problem and a possible solution, which involves installing a stormsewer system. The current system they have is a combined sewer system that ties into the Indian Village system to the north. Our proposal is to put in stormsewer. Also, we propose putting a short, eight-inch connection between our existing combined sewer system, which will become separate, and an existing sanitary sewer system to the south. That will allow some relief if the sanitary sewer system should back up and be unable to take the sanitary sewer flows. We are proposing that this Professional Services Agreement with EarthTech Engineering be approved for a not-to-exceed value of $77,462.00. The intention is to have the design ready to go and the bids ready for Spring 2004. It will be totally Stormwater Utility funded.
   Greg Meszaros: What is the receiving stream for these storm sewers?
   Mike Thornson: It is the Branstrator #2 Drain, which is a branch of the Fairfield Ditch.
   Denise Porter-Ross moved approval. Motion carried. Copy to be placed on file in vault.

3. Old Business.

4. New Business.

Meeting adjourned at 9:32 a.m.

Greg Meszaros, Chairman

John Suarez, Member

Denise Porter-Ross, Member

ATTEST: _____

Justin Brugger, Clerk

CITY OF FORT WAYNE

GRAHAM RICHARD, MAYOR

SENT VIA HAND DELIVERED...

October 13, 2003

Mr. Justin Brugger
Board of Public Works
City of Fort Wayne
One Main Street
Fort Wayne, IN 46802

RE: Release of Liability for Use of Approximately 6.8 Acres of Land located at 9962 Diebold Road, Fort Wayne

Dear Mr. Brugger:

The Property Management Department is requesting approval from the Board of Public Works for the accepted Release of Liability to use approximately 6.8 acres of land owned by Mary Jane Johnston for temporarily storing leaves as the Street Department conducts their leaf pickup.

I have enclosed four copies of the release for distribution to the Board.

If you have any questions, please contact me at extension 1402.

Sincerely yours,

Daniel A. Brenner/cf

Daniel A. Brenner
Property Manager

/cf

Enc.

RELEASE

FOR VALUE RECEIVED, the undersigned jointly and severally agree to release and hold harmless Mary Jane Johnston and her successors and assignees from any claim, action, liability, loss, damage or suit, arising from the following:

The City of Fort Wayne's use of approximately 6.8 acres of land located at 9962 Diebold Road, and as more particularly described as a part of the W ½ NE ¼ East of Diebold Road, Section 5, Perry Township, Allen County, Indiana containing 6.81 acres, for the purpose of temporarily storing leaves as a part of its annual leaf collection program. At the conclusion of the annual leaf collection program the City will transport said leaves, as weather and time permits, but no later than May 15, 2003, to its recycling facility on Lake Avenue.

The undersigned releases, remises and forever discharges Mary Jane Johnston from any and all liability, claims, actions, and possible causes of action which may accrue to the City of Fort Wayne, its assigns or heirs as a result of the above described action.

This agreement shall be binding upon and inure to the benefit of the part successors, assigns and personal representatives.

Signed this 10th day of October, 2003

Robert O. Kennedy RPK
John Swarz
Denise Porter Doss

CITY OF FORT WAYNE

BY: Daniel A. Brenner
Daniel A. Brenner
Property Manager

ACCEPTED

Mary Jane Johnston
Mary Jane Johnston

City Utilities
Water Resources

Interoffice Memo

Date: October 13, 2003

To: Board of Works

From: Ron Sheppard, Manager Engineering Support Services

Re: 4700 Stellhorn Road Sanitary Project, Res. # 1554-02

Reinhart's Excavating has informed Engineering Support Services that they will not be able to complete this project.

Engineering Support Services is asking The Board of Works to terminate the contract between Reinhart's Excavating and The Board of Works for the 4700 Stellhorn Road Sanitary Project. Reinhart's Excavating has failed to fulfill its obligation under the Stellhorn Road Sanitary Project contract in a timely and proper manner.

Reinhart's Excavating was awarded the contract for this project on June 11, 2003 for $28, 080.00.

Reinhart's Excavating was to have finished the project on 9/12/2003, and as of that date has not begun any work on said project.

In order to complete the sewer project for the three property owner involved the Water Resources Department has asked for quotes from the remaining four bidders that originally bid on this project.

Robert O. Kennedy RPK
John Swarz
Dennis Porter Rodrigue

BOARD OF STORMWATER MANAGEMENT MINUTES
OCTOBER 15, 2003

ROOM 250 – OMNI ROOM
MEETING HELD AT 9:22 AM

GREG MESZAROS, CHAIRMAN
JOHN SUAREZ, MEMBER
DENISE PORTER-ROSS, MEMBER
JUSTIN BRUGGER, CLERK

Present: All Members & Clerk. Robert P. Kennedy – Associate Director of Public Works and Utilities; Chuck Bailey and Carl Wilson – Contract Compliance. Kristine Degabriele – Associate City Attorney, Mark Gensic – Planning and Design Services, John Perlich – Public Information Officer. Jack Suter – Development Services. Ken Nicolet – Public Works Administration. Ron Sheppard – Engineering Support Services.

1. Approval of Board of Stormwater Management Minutes of October 8, 2003.
   John Suarez moved approval. Motion carried. Copy to be herein incorporated.

2. **AWARD:** Improvement Resolution #673-03, *Ventura-Farwood East Stormwater*, to Bercot, Inc., in the amount of $297,819.00. Contract Compliance concurs with this award.
   Denise Porter-Ross moved approval. Motion carried. Notice of Award to be sent.

3. Approval of Sewer Contract #2003-ST-14, between the City of Fort Wayne and the Fort Wayne Redevelopment Commission, to construct a local storm drainage system to serve the Grand Wayne Center.
   Jack Suter: The addition to the Grand Wayne Center will cause the construction of two new storm sewers: one that will take water from West Jefferson into a detention basin at the Grand Wayne Center's building; and then another storm sewer along the south side of Washington Street, taking the water from the detention basin into the City's sewer system. ...a total amount of about 576 new feet of sewer line.
   John Suarez moved approval. Motion carried. Sewers to be constructed.

4. Old Business.

5. New Business.

Meeting adjourned at 9:25 am.

Greg Meszaros, Chairman

John Suarez, Member

Denise Porter-Ross, Member

ATTEST: _____
Justin Brugger, Clerk

APPROVED THIS 15TH DAY OF OCTOBER, 2003.

BOARD OF PUBLIC WORKS

BY: _____
Robert P. Kennedy, Chairman

BY: _____
John Suarez, Member

BY: _____
Denise Porter-Ross, Member

ATTEST: _____
Justin Brugger, Clerk

BOARD OF PUBLIC WORKS MINUTES
OCTOBER 22, 2003

BOARD OF PUBLIC WORKS
ROOM 250 – OMNI ROOM
MEETING HELD AT 9:00 A.M.

ROBERT P. KENNEDY, CHAIRMAN
JOHN SUAREZ, MEMBER
DENISE PORTER-ROSS, MEMBER
JUSTIN BRUGGER, CLERK

Present: All Members and Clerk. Greg Meszaros, Director of Public Works and Utilities. David Ross – City Engineer. Ron Sheppard – Engineering Support Services. Bill Maxwell and Mike Thornson – Planning and Design Services. Mario Trevino – Transportation Engineering Services. Chuck Bailey and Carl Wilson – Contract Compliance. John Perlich – Public Information Officer. Ken Nicolet – Public Works Administration.

1. **RECEIVE BIDS:** Improvement Resolution #1569-03: *Westlane Road Storm Drainage Improvement*

BIDDERS	BASE BID
Bercot, Inc.	104,241.00
Crosby Excavating	117,325.50
EJ Prescott	-
Fleming Excavating	**102,827.66**
Fox Contractors	-
Land Construction	106,336.00
Pyramid Excavating	110,918.50
Scheidleman Excavating	131,410.17
Engineer's Estimate	**$127,675.00**

Engineering Support Services to tabulate and report.

2. Approval of Board of Public Works Minutes of October 15, 2003.
John Suarez moved approval. Motion carried. Copy to be herein incorporated.

3. **IMPROVEMENT RESOLUTION** #1640-03, *General Cured-in-Place Sewer Rehabilitation Package #2.*
Matthew Wirtz: This is just a continuation of our lining package. It is Package #2. We have approximately 4,500 feet with various sizes ranging from 12 inch up to 30 inch.
Denise Porter-Ross moved approval. Motion carried. Copy to be herein incorporated.

4. **IMPROVEMENT RESOLUTION** #6969-03, *Tennessee Avenue – Spy Run Avenue to Griswold Drive.*
Mario Trevino: The project begins on Spy Run and travels east to Griswold Drive. The scope of work involves curb construction, drives, walk ramps, and stormsewer structures.
Denise Porter-Ross moved approval. Motion carried. Copy to be herein incorporated.

5. Approval of Change Order # 1 – Final, received from Wayne Asphalt for Construction Contract #6929-03, *Reserve Line Road: Lakewood to Cul-de-sac*, decreasing the original contract price of $60,178.25 by $1,262.91. Including this change order, the new contract price will be $58,915.34.

Mario Trevino: This final change order includes some additional excavating and compacted stone for a very small area that contained poor soils. The planned quantity for asphalt binder was estimated too low.
John Suarez moved approval. Motion carried. Contract price decreased.

Approval of Change Order #3 received from Primco, Inc., for Construction Contract #6936-03, *Pontiac & Wayne Trace Intersections,* increasing the original contract price of $1,258,961.22 by $32,940.36. Including this change order, the new contract price will be $1,353,874.56.
Dave Ross: Last week, I was before the Board with a change order that addressed all the changes in cleaning up the pipes on the south side of the project, south of the railroad intersection. This change order is for the cleaning up of the sewers and pipe work on the north side. We did discover a lot of stormsewers that had been abandoned or were not active. We removed those from the roadway section. There was one sanitary sewer that took a sharp change in the elevation and was in conflict with the actual roadway pavement. Those have been addressed in this change order. Right now, the contractor is substantially complete with the roadway on the south side. Now, with the pipe is cleaned up on the north side, they will be working on that. I believe they have completed a lot of the curbs and will be starting on the pavement in this section. Hopefully, we will have everything wrapped up around the end of the month; or at least open to traffic.
Denise Porter-Ross moved approval. Motion carried. Contract price increased.

7. Approval of Change Order #1 – Final, received from Wayne Asphalt for Construction Contract #6906-02, Philley Avenue/Weisser Park, increasing the original contract price of $127,752.00 by $7,573.94. Including this change order, the new contract price will be $135,325.94.
Mario Trevino: This final change order had several increases. First, we created a new item to build a retaining wall adjacent to a curbramp where the property side grade was elevated. So, that retaining wall will hold back the property side grade. Also, we did not use a manhole Type 1-C Item, but we did have to pay a restocking fee, and that is covered in the lump sum price of the retaining wall. This project also discovered some unsuitable soils, and so we had an increase in the common excavation and compacted stone quantities. We also estimated a little low on the binder, surface, and topsoil quantity. Although these increases were also offset by a few planned quantities that were not used completely, such as the bed course material, the Curb Type II-B, curb-faced walk, and the residential drive quantities.
John Suarez moved approval. Motion carried. Contract price increased.

8. Approval of Change Order #1 – Final, received from Hipskind Concrete for Construction Contract #6932-03, *Gilbert Drive: Kimberly to Deforest*, decreasing the original contract price of $90,435.00 by $2,719.85. Including this change order, the new contract price will be $87,715.15.
Mario Trevino: This final change order involves several decreased and a few increased items. We estimated high on the curb construction, the surface milling, the compacted aggregate, and the 12-inch reinforced concrete pipe. We went a little further back on drives to achieve a better slope and we had to remove a small tree due to a conflict with a new curbline. All the other items were just marginally higher or lower than the planned quantity.
Denise Porter-Ross moved approval. Motion carried. Contract price decreased.

9. Approval of Change Order #1 – Final received from Key Concrete for Construction Contract #6943-03, *Avalon Addition Concrete Street Repairs*, decreasing the original contract price by of $68,595.00 by $476.72. Including this change order, the new contract price will be $68,118.28.
Mario Trevino: This is another 4th District Project. It adds two new items: one for a new casting, and another for Curb Type II-B. There was a drainage structure we wanted to take advantage of on this project; and to drain the street a little more comprehensively; we constructed those two items to direct the water towards the structure. We did not use the

entire concrete pavement-patching item, and there were also several marginal decrease items that offset these two new items.
John Suarez moved approval. Motion carried. Contract price decreased.

10. Approval of Professional Services Agreement between the City of Fort Wayne and Bonar Group for additional design work of improvements to the Ardmore Avenue Extension. Proposed work includes additional work for stormwater drainage along Lower Huntington Road and additional right-of-way engineering. Compensation for services performed shall be a lump sum of $7,200.00, funded through the CEDIT Account.
David Ross: The engineering is 99% complete. Plans are ready to submit to INDOT for them to let bids. Right now, we are going through the right-of-way acquisition phase. That means we go out and talk to the property owners and lay out where this project is being set up. When we did that, particularly along Lower Huntington Road where the residential properties are... Originally, this project was designed to have open ditches, and when we laid out the property lines, we saw how close it was coming to their homes. So, we reevaluated and determined that it would probably be less of an impact on the residences and probably would even save us on our right-of-way acquisition fees if we enclose those drains next to the residences. So, in order to do that, we have to change or modify some of the plans ready to go into INDOT. Bonar has agreed to do this for the fee that is shown here. They can do that and get ready for the bidding then, we hope, early next year.
Bob Kennedy: Dave, do you think it is going to be bid out over the winter?
David Ross: It is required that they have four months after the right-of-way acquisition before they actually bid it. That means if we complete it this winter, it will still be probably early spring before we can bid the project. The bid will be ready for the construction season. We think this project is going two construction seasons: one to build the roadway, and then one to reconstruct the bridge on Lower Huntington Road.
Denise Porter-Ross moved approval. Motion carried. Copy to be placed on file in vault.

Approval of Professional Services Agreement between the City of Fort Wayne and the Fort Wayne-Allen County Airport Authority to provide professional services for the transfer of property for improvements to Ferguson Road/Indianapolis Road. City Engineering recommends approval.
David Ross: This is an economic development project where they are repairing Indianapolis Road to reduce the severe curve in the south section of that roadway where it comes off Ferguson Road. The Airport Authority is also planning on doing some major commercial or industrial development next to or adjacent to their property. So, we are working with them on the roadway and other utility improvements. We need to acquire additional right-of-way for the relocation of the roadway. Because they have to go through FHA approvals, they have certain forms that require agreements between the City and themselves on how the transfer will take place. This is the form that their attorneys have come up with. We have reviewed it with the Division of Community and Economic Development and our right-of-way acquisition agent, and everything looks in good shape at this point. There is one stipulation where they have to do appraisal work and compare the transfer of properties. We may have to pay the airport for the undeveloped property that we will be acquiring. But, they have committed that any payments made for this will..., they will partner then and put back into the project to help put back into the roadway. So, we believe we have everything worked out.
Denise Porter-Ross: There will still be a curve but it won't be as severe?
David-Ross: That is correct. This will be a gentler curve.
Bob Kennedy: This will improve and enhance access to the airport, along with some resurfacing done this year and some new signs that have been placed in the last week or two.
David Ross: Yes, and as part of that, we hope to do landscaping to make a nice entranceway into the airport.
John Suarez moved approval. Motion carried. Copy to be placed on file in vault.

12. Approval of Professional Services Agreement between the City of Fort Wayne and CH2M Hill for engineering services associated with the study phase for the CSO Pump Station small pump rehabilitation at the Water Pollution Control Plant in the amount of $19,800.00. This project is to be funded through the Sewer Utility. Planning and Design Services recommends approval.
Mark Gensic: Across the river from the Water Pollution Control Plant, we have a very large combined sewer overflow pump station. There are five pumps in there and these things are huge. Three of them are twice the size of the capacity of the Water Pollution Control Plant itself. We also have two small pumps in there that are in need of rehabilitation. This engineering study will look at options to get those things more efficient and operational in order to handle smaller-range storm events. One of our problems out there right now is that the large pumps work, but they cycle on and off and that causes excessive wear. So, we are looking at things like modifying impellers, looking at the mechanical, structural, and electrical improvements needed to be done at the CSO pump station in order to have a smoother operation during our combined sewer overflow events.
Denise Porter-Ross moved approval. Motion carried. Copy to be placed on file in vault.

13. Approval Professional Services Agreement between the City of Fort Wayne and Commonwealth Engineers, Inc., for engineering services associated with the design of aeration tank handrail replacement at the Water Pollution Control Plant in the amount of $7,500.00. This project is to be funded through the Sewer Utility. Planning and Design Services recommends approval.
Mark Gensic: This is a pretty tough environment there with the aeration facilities, and know we have some deterioration going on with the concrete. This is for installation of new handrail for tanks one through five, with are the older tanks – the 1940's tanks.
Bob Kennedy: It's a safety enhancement issue for the workers. It's an important project.
Mark Gensic: The aluminum handrails aren't the problem; it's the connection at the concrete where they are attached to the deck. We also have to look at slip prevention, so workers don't slip under the handrails. Those are all OSHA requirement snow.
John Suarez moved approval. Motion carried. Copy to be placed on file in vault.

14. Approval of Cable Fund Access Board Grant Recipient Contracts between the City of Fort Wayne and the Fort Wayne Dance Collective, Team TV Youth Communication Network, Holy Cross Lutheran School, Concordia Lutheran School, Fort Wayne Community Schools (North Side High School), Most Precious Blood School, and Zion Lutheran Academy, respectively.
Denise Porter-Ross moved approval. Motion carried. Copies to be placed on file in vault.

15. Approval of recommendation from Engineering Support Services to accept the work performed by Kurtz Excavating for Contract #2003-S-12, *Springfield Section IV – Sanitary,* as an integral part of the City's sanitary sewer system.
John Suarez moved approval. Motion carried. Acceptance Letter to be sent.

16. Approval of recommendation from Engineering Support Services to accept the work performed by Star Excavating for Contract #2003-S-16, *Marsh Sanitary Sewer Main Extension*, as an integral part of the City's sanitary sewer system.
Denise Porter-Ross moved approval. Motion carried. Acceptance Letter to be sent.

17. Approval of recommendation from Engineering Support Services to accept the work performed by Maddox Industrial Contractors for Contract #1102-01, *Filter 15 Rehabilitation*, as an integral part of the City's water distribution system.
John Suarez moved approval. Motion carried. Acceptance Letter to be sent.

18. Approval of Authorization for Release of Escrow received from Maddox Industrial Contractors for Contract #1102-01, *Filter 15 Rehabilitation*, in the amount of $21,031.10, plus interest.
Denise Porter-Ross moved approval. Motion carried. Copy to be sent to Escrow Agent.

19. Approval of Barrett Law Claims in the amount of $194,246.75 for the week of October 22, 2003.
John Suarez moved approval. Motion carried. Claims to be sent to Finance Department.

20. Approval of General Accounting Claims in the amount of $7,509,879.53 for the week of October 22, 2003.
Denise Porter-Ross moved approval. Motion carried. Claims to be sent to Finance Department.

21. Old Business.

22. New Business.

i. **EMERGENCY RESOLUTION** #90-339-22**:** *Street repairs at 5420 E. State Blvd. and Windrush Drive cul-de-sac.*
Mario Trevino: This emergency repair package is two address two areas that are potentially threats to public safety. The first location is at Windrush Drive, where we found at least a two-foot deep void. While we don't know how wide the void is, it is important to try to remedy it as soon as we can. The other location is at 5420 E. State Boulevard, where we had a pavement heave, apparently this summer, that went undetected until just recently we got a call from a citizen that made us aware there was a problem on E. State. We investigated that and determined that this is ramped up high enough that it may cause a driver to lose control of his/her vehicle. We advertised to three contractors by invitation, and at this time I have got the results of those bids that came in. We faxed it to Key Concrete, Garcia Concrete, and Benchmark Construction. We received bids back from everyone. At this time we are prepared to recommend the award to the lowest bidder, Key Concrete, for $10,991.00. The Engineer's Estimate for this project was $8,466.50.
Denise Porter-Ross: This is the area between Reed and Maplecrest. Will this cause minimal disruption of traffic?
Mario Trevino: There will be some barricading, obviously, and it covers at least two lanes. Because this is an emergency, we are going to mobilize the contractor and get this done very quickly.
Denise Porter-Ross moved approval. Motion carried. Copy to be herein incorporated.

ii. **IMPROVEMENT RESOLUTION** #6970-03, *Miscellaneous Construction Package 5-C-03.* Invitational Bid.
Mario Trevino: This is for the installation of a ten-foot section of handrail at the underpass located at the 1500 block of Broadway. The handrail was damaged during a police chase where the driver being chased pulled all of it off one of the retaining walls and hit a handrail. We advertised to three contractors and the bid opening is expected next Wednesday, October 29.
John Suarez moved approval. Motion carried. Copy to be herein incorporated.

Meeting adjourned at 9:32 a.m.

Robert P. Kennedy, Chairman

John Suarez, Member

ATTEST: Justin Brugger, Clerk

Denise Porter-Ross, Member

BOARD OF STORMWATER MANAGEMENT MINUTES
OCTOBER 22, 2003

BOARD OF STORMWATER MANAGEMENT
ROOM 250 – OMNI ROOM
MEETING HELD AT 9:33 AM

GREG MESZAROS, CHAIRMAN
JOHN SUAREZ, MEMBER
DENISE PORTER-ROSS, MEMBER
JUSTIN BRUGGER, CLERK

Present: All Members and Clerk. Bob Kennedy - Associate Director of Public Works and Utilities. Mike Thornson - Planning and Design Services. Ken Nicolet – Public Works Administration. Chuck Bailey and Carl Wilson – Contract Compliance. John Perlich – Public Information Officer.

1. Approval of Board of Stormwater Management Minutes of October 15, 2003.
Denise Porter-Ross moved approval. Motion carried. Copy to be herein incorporated.

2. Presentation and discussion of the federally-mandated National Pollution Discharge Elimination System (NPDES) and IDEM Rule 13 Stormwater Quality Management Regulations, and the City's efforts to meet the regulations.

As a part of these efforts, approval of Service Agreements Concerning Phase II Stormwater Rules between the City of Fort Wayne, Indiana Institute of Technology, Ivy Tech State College, University of Saint Francis, and Indiana University-Purdue University – Fort Wayne. These agreements will enable the institutions to become co-applicants with the City of Fort Wayne in the permit process, which will include development and implementation of a Stormwater Quality Management Plan. Planning & Design services recommends approval.

Mike Thornson: Of the four universities, we do not have the agreements on hand from Indiana-Purdue. I will be getting those this afternoon, so they will be coming before the Board next week for your signature.

Studies have found that urban and suburban stormwater runoffs, and construction site stormwater discharges, are major contributors to pollutants in our lakes, streams, and rivers. Toward that end, the EPA's Clean Water Act has developed a National Pollutant Discharge Elimination System (NPEDS) that targets what they call MS4's. MS4 stands for Municipal Separate Storm Sewer System. Phase I was implemented in 1990, and that targeted the medium and large municipalities. Currently, Phase II has begun, which covers all of the other municipalities – the smaller municipalities. These also target certain industries, including those that do construction activities. Phase II will address these regulations on construction activities that disturb one acre or more of ground. The Phase II activities that we are forced to meet target six minimum control measures: Public Education and Outreach, Public Participation and Involvement, Illicit Discharge Detection and Elimination, Construction Site Runoff Control, Post-Construction Runoff Control, and Pollution Prevention and Good Housekeeping.

On Public Education and Outreach, we have already entered into an agreement with the County and New Haven to hire a Water Quality Specialist, Allison VanZandt, and we have already begun some of those activities. She has some programs that bring in school students and help promote student awareness activities --- designing a logo that addresses stormwater quality for her program. We have activities such as the Science Fair where we sponsor certain awards that are targeted to water quality awareness.

Public Participation may involve creating citizens advisory groups, promoting neighborhood programs such as riverbank cleanups, Tox-Away Day, ...things like that.

To address Illicit Discharge Detection and Elimination, we will have a program where we will actually go out and inspect stormwater outfalls in our streams and channels, and look for evidence of drainage through those lines or those channels that is not stormwater pollutants. ...and in other words, developing a program that traces them back to their source and eliminating those sources. It will require some ordinance development and beefing up our enforcement or policing capabilities.

For Construction Site Runoff, we will be, again, beefing up our plan review, our design standards for stormwater. We will also have some training for our staff, including inspectors, to go out and make sure that development is done properly. It reduces stormwater-polluting activities. The controls that contractors will be asked to or required to apply, might include phase clearing and grubbing on large construction sites, instead of going out and clearing the entire site all at once and letting it sit there for years. The might do it in phases where they can do the development in one corner of the development, complete that, and then move to another corner to reduce erosion off those sites. It might include things like silt fences along channels to intercept sediments and pollutants that might otherwise enter our streams and water bodies. Temporary grass, covering bare areas would reduce erosion until they get to that part of the project. And also, things like stormwater detention basins. Those construction runoff controls would include something called BMP's (Best Management Practices). There are structural BMP's, such as detention basins. There are non-structural BMP's, which would be practices such as street sweeping, and stuff like that.

Finally, the Pollution Prevention and Good Housekeeping Phase for a minimum control measure would require us to look at some of our facilities and our practices. How do we constrain runoff from our Fleet Maintenance facilities that might carry oils and detergents if we are washing our cars, and so on. We could take a look at our salting practices and see if there might be some way of improving that to reduce the amount of salt we leave on the streets. We already do a certain amount of catchbasin and inlet cleaning. We can continue to do that and try to improve some of those areas. And, we can also look at how we apply herbicides, fertilizers, and pesticides on our grass areas.

These are all requirements of the EPA's NPEDS Program. The EPA places implementation and enforcement of the program on the State's Department of Environmental Management (IDEM). IDEM has developed what we call Rule 13, a statute that lays out how each of the municipalities, within their jurisdiction, is to address and obtain their NPEDS permit for the stormwater system. IDEM's Rule 13 splits the process into three parts: Part A, B, and C. Part A is due in a few weeks – November 4th. In addition to the Part A Submittal, we also have to submit a Notice of Intent Letter.

Part A and the Notice of Intent basically just tells the State who our MS4 operator is – who is responsible for our system. In this case, we are identifying Greg as our operator and the contact person. It lists known receiving streams. There are 16 large watershed area's receiving streams that we have on our list. In future phases, we will be breaking that down into the smaller, sub-watershed areas in parts of our system.

Part B is due 180 days after we have submitted Part A. Part B includes characterizing the streams going out and coming up with a way of assessing their water quality. We also have to investigate and report on land usage across the City.

Part C is due 365 days after Part A. Part C is where we have to actually propose a Stormwater Quality Management Program. That's when we get into how we are going to monitor and regulate developers. How will be improve or monitor our own facilities? We will also have to provide updated mapping on what is our stormwater facility. It will require

monthly reports on construction activities and construction sites to the State. It also requires annual reports on our overall program.

Part of the Rule 13 Process allows for co-application. On one hand, the State is discouraging co-application between municipalities because of implementation programs. However, they are encouraging co-application with some of the smaller entities that are required to have the permits. There are four local universities that also require Stormwater NPEDS Permits. Toward that end, we are presenting this co-application services agreement to allow them to be co-applicants. These agreements will provide that the universities assist us with the public education and public participation programs we intend to create. They will assist us somewhat less in the illicit discharge detection requirements and some of the mapping and reporting requirements. The universities will also be helping us in developing our stormwater quality master plan.

The status of our Notice of Intent and Part A is due in a couple of weeks here. We have hired Clark Dietz, Inc., to help us put together this application. We currently have the drafts finished and ready for signature. I am in the process of gathering the signatures from Greg and the universities. We already advertised in the Fort Wayne newspapers our Public Notice of Intent to Comply, as required by the regulations. When we get our packet with the signatures and attachments, and the Publisher's Affidavit, and the application fee, we will then, next week, mail this to our consultant in Indianapolis who is going to hand-deliver this to IDEM on November 3rd, the day before it is due. The reason we are doing this, is because the day we submit that triggers Phases B and C, which will give us an extra couple of weeks.

Clark Dietz will also be doing some preliminary assistance with Parts B and C, but they are not actually hired yet to help us finalize and prepare the actual Parts B and C application documents. In the future, I will be coming before you with another Professional Services Agreement for them to help us do that.

Greg Meszaros: Let me sum this up. (The) Clean Water Act is created in 1972. The first 20 years or so focuses on point source, or sewage treatment plants. (Inaudible. End of tape.) ...which we would call non-source pollutants, or stormwater runoff. The early regulations, we did not have to comply with. We were just under the window of population for those early 1990's regulations. However, I think that was part of the early signs to us that this was another, unfunded mandate coming down the road. I think it is one of the reasons we started our Stormwater Utility to be able to help on this regulatory side, besides drainage issues. Now, these Phase II Regulations are here and we do definitely fall underneath this, as does the County, as does New Haven, as do the universities. This is just the start of our process, ...just the initial applications. The co-applications are with the universities so we can reduce the overall costs and team up in terms of education and some of these other things we both have to do. This is just the start. Over the next year, we will be fleshing out our plan in more detail, and then about this time next year, we will have to be implementing that plan.

Mike Thornson: We will be at least proposing that program subject to IDEM's approval. We will be implementing shortly thereafter. We are already implementing some of these things.

Denise Porter-Ross: This has no impact on budget concerns as far as today?

Mike Thornson: Exactly. As we formulate the programs, I will have a better idea of what budget requirements are included. The permit is a five-year permit that starts after we submit Part A.

John Suarez moved approval of the City's intent to comply with the Phase II Regulations and also agreeing to sign the service agreements with the Universities, excluding IPFW, which will be approved next week. Motion carried. Copies to be placed on file in vault.

3. Old Business.

4. New Business.

Meeting adjourned at 9:54 a.m.

Greg Meszaros, Chairman

John Suarez, Member

Denise Porter-Ross, Member

ATTEST: _____
Justin Brugger, Clerk

BOARD OF PUBLIC WORKS MINUTES
OCTOBER 29, 2003

BOARD OF PUBLIC WORKS
ROOM 250 – OMNI ROOM
MEETING HELD AT 9:00 A.M.

ROBERT P. KENNEDY, CHAIRMAN
JOHN SUAREZ, MEMBER
DENISE PORTER-ROSS, MEMBER
JUSTIN BRUGGER, CLERK

Present: All Members and Clerk. Greg Meszaros, Director of Public Works and Utilities. David Ross – City Engineer. Ron Sheppard – Engineering Support Services. Bill Maxwell and Mike Thornson – Planning and Design Services. Mary Jane Slaton: Development Services. Mario Trevino – Transportation Engineering Services. Chuck Bailey and Carl Wilson – Contract Compliance. John Perlich – Public Information Officer. Ken Nicolet – Public Works Administration. Dan Brenner – Property Manager.

1. **RECEIVE BIDS:** Improvement Resolution #1584-03, *Evard Road Relief Sewer.*

BIDDERS	**BASE BID**
Bercot, Inc.	$316,966.00
Crosby Excavating	$333,681.00
EJ Prescott	No bid
Fleming Excavating	$341,415.24
Fox Contractors	$385,491.60
Land Construction	$271,415.00
Primco, Inc.	No bid
Scheidleman Excavating	No bid
Engineer's Estimate	**$325,163.00**

Engineering Support Services to tabulate and report.

2. **RECEIVE BIDS:** Improvement Resolution #6970-03, *Miscellaneous Construction Package 5-C-03.* Invitation to Bidders.

BIDDERS	**BASE BID**
Arrow Fencing	
Eagle Fence	
R & C Fencing	
Engineer's Estimate	

No bids received.

3. Approval of Board of Public Works Minutes of October 22, 2003.
John Suarez moved approval. Motion carried. Copy to be herein incorporated.

4. **AWARD:** Improvement Resolution #1569-03, *Westlane Road Storm Drainage Improvement*, to Fleming Excavating in the amount of $102,827.66.
Denise Porter-Ross moved approval. Motion carried. Notice of Award to be sent.

5. **IMPROVEMENT RESOLUTION** #6972-03, *802 Elmer Avenue.* Invitation to Bidders.
Mario Trevino: This project involves replacing some concrete pavement and curb. The councilman, in response to a complaint about poor pavement, selected this location. The bid opening is scheduled for November 5, and the completion date is scheduled for November 14.

Denise Porter-Ross: Was this just one little stretch? Was everything else satisfactory?
Mario Trevino: The rest of the road does need some work. This was the worst of that area.
John Suarez moved approval. Motion carried. Copy to be herein incorporated.

6. **IMPROVEMENT RESOLUTION** #6973-03, *Calhoun Street Viaduct – Handrail.*
Mario Trevino: This is the first part of several phases. We are going to remove the old handrail in the railroad viaduct and construct a new handrail that looks much like the rod iron at the Broadway viaduct, although the handrail will be made of galvanized steel with a black epoxy coating. The bid opening is scheduled for November 12 and this project should be completed by January 30.
Denise Porter-Ross moved approval. Motion carried. Copy to be herein incorporated.

7. Approval of Change Order #1 – Final, received from Brooks Construction for Construction Contract #6941-03, *Nussbaum Alley Reconstruction*, decreasing the original contract price of $70,603.50 by $311.00. Including this change order, the new contract price will be $70,292.50.
Mario Trevino: This final change order involves just a few increases in additional alley approach construction and 12 inch concrete pipe. We created a new item for steps. There were several decreases, most of which were only marginally under the planned quantity; except for bitumous mix for patching, compacted aggregate, and unclassified excavation work. The greater portion of these quantities were not used.
John Suarez moved approval. Motion carried. Contract price decreased.

8. Approval of Change Order #1 – Final, received from Garcia Concrete for Construction Contract #6950-03, *Miscellaneous Construction Package 6-A-03*, increasing the original contract price of $24,464.00 by $1,896.26. Including this change order, the new contract price will be $26,360.26.
Mario Trevino: The bulk of this final change order included a change in scope, which expanded to 3206 Queen Street for curb and drive approach, at the request of the Councilman.
Denise Porter-Ross moved approval. Motion carried. Contract price increased.

9. Approval of Change Order #1 – Final, received from Hipskind Concrete for Construction Contract #6949-03, *Crown Colony Neighborhood Street Improvements*, decreasing the original contract price of $108,475.20 by $6,884.40. Including this change order, the new contract price will be $101,590.80.
Mario Trevino: There were several decreases to this final change order that can be attributed to overestimating in some planned quantities, such as ramp construction, compacted aggregate, the underdrain low-transfer joints, and casting adjustments. The Inlet Type 1C item was not used after the condition of the existing inlet was proved to be in good condition.
John Suarez moved approval. Motion carried. Contract price decreased.

10. Approval of recommendation from Transportation Engineering Services to accept the work performed by Widner Paving for Improvement Resolution #6928-03, *Miscellaneous Construction Package 3-A-03*, as an integral part of the City's transportation system.
John Suarez: I know we have had a problem with this contractor. Is the work satisfactory?
Mario Trevino: Yes. It was inspected and found to be satisfactory.
Denise Porter-Ross moved approval. Motion carried. Acceptance Letter to be sent.

11. Approval of recommendation from Transportation Engineering Services to accept the work performed by Key Concrete for Improvement Resolution #6961-03, *Woodhurst Addition Concrete Street Repairs*, as an integral part of the City's transportation system.
John Suarez moved approval. Motion carried. Acceptance Letter to be sent.

12. Approval of recommendation from Transportation Engineering Services to accept the work performed by Key Concrete for Improvement Resolution #6940-03, *Colonial Heritage Addition*, as an integral part of the City's transportation system.
Denise Porter-Ross moved approval. Motion carried. Acceptance Letter to be sent.

13. Approval of recommendation from Transportation Engineering Services to accept the work performed by Key Concrete for Improvement Resolution #6966-03, *Miscellaneous Construction Package 5-B-03*, as an integral part of the City's transportation system.
John Suarez moved approval. Motion carried. Acceptance Letter to be sent.

14. Approval of recommendation from Transportation Engineering Services to accept the work performed by Key Concrete for Improvement Resolution #6943-03, *Avalon Addition*, as an integral part of the City's transportation system.
Denise Porter-Ross moved approval. Motion carried. Acceptance Letter to be sent.

15. Approval of recommendation from Transportation Engineering Services to accept the work performed by E&B Paving for Improvement Resolution #6918-03, *Resurfacing Package 1 - 2003*, as an integral part of the City's transportation system.
John Suarez moved approval. Motion carried. Acceptance Letter to be sent.

16. Approval of recommendation from Transportation Engineering Services to accept the work performed by Hipskind Concrete for Improvement Resolution #6949-03, *Crown Colony Addition,* as an integral part of the City's transportation system.
Denise Porter-Ross moved approval. Motion carried. Acceptance Letter to be sent.

17. Approval of recommendation from Engineering Support Services to accept the work performed by Frontier Contractors for Sanitary Sewer Contract #2003-S-29, *1425 West Dupont Road*, as an integral part of the City's sanitary sewer system.
John Suarez moved approval. Motion carried. Acceptance Letter to be sent.

18. Approval of request from the Property Management Department for partial release of escrow funds received from Robert E. Crosby, Inc., for *New Fire Station #12*.
Dan Brenner: This fire station located at 6901 S. Anthony is now fully operational and the contractor, Robert E. Crosby, has asked for release of escrow funds. Star Financial Bank is holding $123,029.25 in an escrow account. Contract Compliance has informed us they have received most of the information they require. However, there are still a few items they have not yet received. Therefore, we are asking the Board to approve a partial release of these funds in the amount of $100,000.00 until the remaining information is received by Contract Compliance. At that time, we will ask the Board to release the remaining funds.
Denise Porter-Ross: Do we have a time period where we are expecting the information?
Unknown audience member: It will be a short period of time.
Dan Brenner: This is a good-faith effort to get some of their money to them.
John Suarez: Are they complying?
Unknown audience member: Inaudible.
John Suarez: Ok. Thank you.
Denise Porter-Ross moved approval. Motion carried. Letter to be sent to Escrow Agent.

19. Approval of Water Contract #2003-W-21 between the City of Fort Wayne and NPT Development Corporation to construct water main systems, including all necessary fittings, to serve Hawthorne Park Section VII.
See item 20.

20. Approval of Water Contract #2003-W-22 between the City of Fort Wayne and Venture Land Corporation to construct water main systems, including all necessary fittings, to serve Hawthorne Park Section VIII.
Jack Suter: Between the two subdivisions, there are 56 lots and about 3,200 feet of new water line that would come into our system. I should point out to you that we are participating in oversizing with the first contract about 1,700 feet of new 16-inch water line that will give us the ability to expand the services north through that area and continue to develop. As we are involved in oversizing, we have to pay the developer for the extra line. We have struck an agreement with the developer that we will not have to pay that bill until the end of 2005.
John Suarez moved approval of items 19 and 20. Motion carried. Water mains to be constructed.

21. Approval of Professional Services Agreement between the City of Fort Wayne and CH2M Hill, to provide Engineering Services associated with the preliminary engineering phase of the Aeration System Improvements project at the Water Pollution Control Plant. The contract amount for this work is $39,850.00 and will be funded through the sewer utility. Planning and Design Services recommends approval.
Mark Gensic: At the Water Pollution Control Plant on the Maumee River, downstream of Anthony Boulevard, we have an efficiency improvement we can make. We want to capture the methane gas that is generated as we digest sludge in our digesters, and use it to purchase a methane-gas driven blower that supplies oxygen in the aeration tanks. This is something the plant did in the 1940's and 50's fairly well, but the equipment has aged to the point that it is no longer useable. So, what we are doing is confirming the cost estimating of just buying this methane blower; but also, we going to do the cost estimating associated with the other five existing electrical blowers at the plant, and get those numbers tied-down and put together the scope of this first project. It will take us several years to make some of the other improvements we need to make in our aeration system, but this first improvement is very exciting. Inaudible. We still have hope that there will be enough methane to do other things also.

Denise Porter-Ross moved approval. Motion carried. Copy to be placed on file in vault.

22. Approval of Professional Services Agreement between the City of Fort Wayne and American Consulting, Inc., for the televising and design of the Clinton Street Combination Sewer Rehabilitation.
Mike Hicks: This Professional Services Agreement is for the design and rehabilitation of one of our existing combination sewers. It happens to run down the center driving line of Clinton, between Murray and Pontiac. The total length is 3,600 feet. This is a one-ring brick sewer that was built in 1887. The average depth is 12 feet. I believe, at this time, that this can be lined to avoid excavating Clinton. One of the requirements of the design engineer would be to design the correct liner thickness. Another concern is traffic, since this is a very busy street. We will try to keep the congestion down to a minimum. As part of this contact, we also have some televising and cleaning. It is an old egg-shaped pipe that needs some work done to it.
Denise Porter-Ross: How long would it take to do the liner?
Mike Hicks: Approximately three weeks.
John Suarez: The amount is not to exceed $59,228.88?
Mike Hicks: Denise Porter-Ross moved approval. Motion carried. Copy to be herein incorporated.

23. Approval of Amendment I to the Professional Services Agreement between the City of Fort Wayne and Donohue and Associates to provide additional services for the Three Rivers Filtration Plant Northeast Tank Telemetry Project, in the amount of $7,567.00.
Mark Gensic: This is located at our 1.5MG storage tank near Maplecrest and I-469. We are making improvements to monitor by radio signal the elevation of the water in the tank and

security in terms of entering the site. Earlier this year, the Board approved the purchase of a radio and some security improvements. Now we are adding to that. We have identified a few other minor improvements that need to be made; including some heat trace for a floor drain to keep it from freezing, to do a second analytical instrument for one of our electrical monitors, and to provide another input/output. It is exciting to get this project wrapped up. The way that we monitor these towers is from the Filtration Plant by radio signal; and those signals have been unreliable in the past.
John Suarez moved approval. Motion carried. Copy to be placed on file in vault.

24. Approval of Amendment to the Water Pollution Control Treatment Agreement between the City of Fort Wayne and the City of New Haven, expanding the area to be served by New Haven.
Mary Jane Slaton: We have a number of contractual agreements with a variety of communities around Allen County whereby they operate sewer collection systems and then they ship their sewage to Fort Wayne for treatment. One of our contract customers is the City of New Haven, and New Haven has a fairly extensive sewer service area where they provide direct retail sewer service. Our planning and utility departments have reviewed proposals by New Haven to serve some areas and have determined that it is in the best interest of their customers and our customers to allow New Haven to serve these areas directly – either because it is difficult for us to provide gravity sewer service and it is more feasible for them to do it, or because the areas are closer to some existing facilities that New Haven has.
Denise Porter-Ross moved approval. Motion carried. Copy to be placed on file in vault.

25. Approval of Amendment to the Water Agreement between the City of Fort Wayne and the City of New Haven, expanding the area to be served by New Haven.
Mary Jane Slaton: This is a similar situation (to item 24).
John Suarez moved approval. Motion carried. Copy to be placed on file in vault.

26. Approval of Assessment Roll for Improvement Resolution #6966-03, *Miscellaneous Construction Package 5-B-03*.
Denise Porter-Ross moved approval. Motion carried. Copy to be sent to Finance Department.

27. Approval of request from Barrett Law Department to reimburse the Barrett Law Cash Fund with money from the Barrett Law Surplus Fund.
Denise Porter-Ross moved to table. Motion carried. Item tabled.

28. Approval of Barrett Law Claims in the amount of $49,929.14 for the week of October 29, 2003.
John Suarez moved approval. Motion carried. Copy to be sent to Finance Department.

29. Approval of General Accounting Claims in the amount of $6,518,966.66 for the week of October 29, 2003.
Denise Porter-Ross moved approval. Motion carried. Copy to be sent to Finance Department.

30. Old Business.

31. New Business.

    i. Approval of annual agreement between the City of Fort Wayne and the United States Department of Interior to install and operate a gauging stating on the Maumee River at Coliseum Boulevard. Compensation for services performed shall be $18,802.00. This includes $14,800.00 for installation and $4,002.00 for operation and maintenance.
    Cheryl Cronin: Part of our NPDES permit requirements. Part of our permit requires us to monitor the flow of the Maumee River. This gauge allows us to do better monitoring.

John Suarez moved approval. Motion carried. Copy to be placed on file in vault.

ii. Approval of Resolution #90-351-34, continuing remonstrance on valuation, as detailed in Resolution #90-188-1, concerning the appropriation and condemnation of real property in support of construction of the *Neuhaus Phase II Interceptor* Sewer Project.
Mary Jane Slaton: We had a hearing scheduled for this today. We have had a meeting with a representative of Schenkel's. We have exchanged some information. Our attorney and I are waiting for some additional information, so we are not ready to proceed with the hearing.
Denise Porter-Ross moved approval. Motion carried. Copy to be herein incorporated.

iii. Approval of Change Order #1 received from Wayne Asphalt for Construction Contract #6956-03, *Irene Avenue: Ethel Avenue to Poinsette Avenue*, increasing the original contract amount of $240,970.80 by $69,813.42. Including this change order, the new contract price will be $310,784.22.
Bob Kennedy moved to table. Motion carried. Item tabled.

iv. Approval of recommendation from Transportation Engineering Services to accept the work performed by Newell Construction for Improvement Resolution #6933-03, *Oakhurst Addition*, as an integral part of the City's transportation system.
Denise Porter-Ross moved approval. Motion carried. Acceptance Letter to be sent.

v. Approval of recommendation from Transportation Engineering Services to accept the work performed by Hipskind Concrete for Improvement Resolution #6878-02, *Leesburg Road: Main to Spring*, as an integral part of the City's transportation system.
John Suarez moved approval. Motion carried. Acceptance Letter to be sent.

vi. Approval of Amendment #1 to the Professional Services Agreement between the City of Fort Wayne and Design Collaborative, Inc., adding additional review of project re-bid from original bid process, in the amount of $1,668.51. Planning and Design Services recommends approval.
Mark Gensic: This is our portable emergency generator for the pre-water pump station.
Denise Porter-Ross moved approval. Motion carried. Copy to be placed on file in vault.

vii. Approval of recommendation from Engineering Support Services to accept the work performed by Ajax Industries for Water Contract #2003-W-04, *Air Guard Aircraft Shelter Water Main Extension*, as an integral part of the City's water distribution system.
John Suarez moved approval. Motion carried. Acceptance Letter to be sent.

viii. Approval of agreement between the City of Fort Wayne and Earth Source, Inc., to provide professional services for the monitoring and reporting of improvements to Ardmore Avenue and Covington Road Wetland Mitigation. Proposed services include wetland mitigation reporting and a report to IDEM. Compensation for services performed shall be a lump sum fee of $2,520.00, funded through the City Engineering Department or the LR&S Account. City Engineering recommends approval.
Dave Ross: This was completed in 1998. As a part of the intersection project at Ardmore and Covington, there was wetland mitigation where we placed the wetlands that we removed in a four to one compensation. The wetland that was constructed is on the southwest corner of the intersection. As a requirement for the funding we received, we are required to monitor the wetland for five years and turn in reports.

We turned in one report, IDEM inspected the site and determined it was thriving, and told the City we only have to do one more report.
Denise Porter-Ross moved approval. Motion carried. Copy to be herein incorporated.

Meeting adjourned at 9:47 a.m.

Robert P. Kennedy, Chairman

NOT PRESENT JmB
John Suarez, Member

ATTEST: Justin Brugger, Clerk

Denise Porter-Ross, Member

BOARD OF STORMWATER MANAGEMENT MINUTES
OCTOBER 22, 2003

29 jmb

BOARD OF STORMWATER MANAGEMENT
ROOM 250 – OMNI ROOM
MEETING HELD AT 9:48 AM

GREG MESZAROS, CHAIRMAN
JOHN SUAREZ, MEMBER
DENISE PORTER-ROSS, MEMBER
JUSTIN BRUGGER, CLERK

Present: All Members and Clerk. Bob Kennedy - Associate Director of Public Works and Utilities. Mike Thornson - Planning and Design Services. Ken Nicolet – Public Works Administration. Chuck Bailey and Carl Wilson – Contract Compliance. John Perlich – Public Information Officer.

1. Approval of Board of Stormwater Management Minutes of October 22, 2003.

   John Suarez moved approval. Motion carried. Copy to be herein incorporated.

2. Approval of Sewer Contract #2003-ST-13, *Villas at Northbrook – Section I*, between the City of Fort Wayne and Chestnut Group, Inc., to construct a local storm drainage system to serve Villas at Northbrook Section I.

   Jack Suter: This is to accept 1,200 feet of new storm sewer line once it is constructed.

   Denise Porter-Ross moved approval. Motion carried. Sewers to be constructed.

3. Old Business.

   i. Approval of Co-Application Agreement with Indiana University-Purdue University, Fort Wayne, for NPDES Stormwater – IDEM Rule 13.

   Denise Porter-Ross moved approval. Motion carried. Copy to be placed on file in vault.

4. New Business.

Meeting adjourned at 9:50 a.m.

Greg Meszaros, Chairman

NOT PRESENT jmb
John Suarez, Member

Denise Porter-Ross, Member

ATTEST: Justin Brugger
Justin Brugger, Clerk

BOARD OF PUBLIC WORKS MINUTES
NOVEMBER 12, 2003

BOARD OF PUBLIC WORKS
ROOM 250 – OMNI ROOM
MEETING HELD AT 9:00 A.M.

ROBERT P. KENNEDY, CHAIRMAN
JOHN SUAREZ, MEMBER
DENISE PORTER-ROSS, MEMBER
JUSTIN BRUGGER, CLERK

Present: Robert P. Kennedy, Denise Porter-Ross, and Justin Brugger. Greg Meszaros - Director of Public Works and Utilities. David Ross – City Engineer. Ron Sheppard – Engineering Support Services. Mark Gensic, Pat Callahan, Paul Powers, and Ted Nitza – Planning and Design Services. Jack Suter - Development Services. Mario Trevino – Transportation Engineering Services. Chuck Bailey and Carl Wilson – Contract Compliance. John Perlich – Public Information Officer. Ken Nicolet – Public Works Administration. Bill Simmons - Water Maintenance and Services. Not Present: John Suarez.

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1. **RECEIVE BIDS:** Improvement Resolution #1640-03, *General Cured-in-Place 2003 Sewer Rehabilitation #2.*

BIDDERS	BASE BID
Environmental Pipeliners	**502,655.00**
Insituform Technologies	524,615.00
Michaels Pipeline Corporation	No bid.
Philadelphia Suburban Corporation	No bid.
Reynolds Inliner	No bid.
American Water Service	583,310.00
Engineer's Estimate	**$352,000.00**

Engineering Support Services to tabulate and report.

2. **RECEIVE BIDS:** Improvement Resolution #6973-03, *Calhoun Street Viaduct – Handrail.*

BIDDERS	BASE BID
Brooks Construction	43,295.00
Gensic Creative Metals	**37,760.50**
Primco, Inc.	No bid.
R&C Fence	No bid.
Engineer's Estimate	**$32,965.00**

Transportation Engineering Services to tabulate and report.

3. **RECEIVE BIDS:** Improvement Resolution #6969-03, *Tennessee Avenue – Spy Run Avenue.*

BIDDERS	BASE BID
Bunn Excavating	No bid.
Brooks Construction	109,400.00
Hipskind Concrete	**78,585.00**
Key Concrete	104,755.00
Newell Construction	116,290.00
Primco, Inc.	94,601.71
Widner Paving	100,950.00
Engineer's Estimate	**$108,397.50**

Transportation Engineering Services to tabulate and report.

4. **RECEIVE BIDS:** Improvement Resolution #6970-03, *Miscellaneous Construction Package 5-C-03.*

BIDDERS	BASE BID
Hipskind Concrete	1,780.00
R&C Fence	**1,550.00**
Engineer's Estimate	**$1,320.00**

Transportation Engineering Services to tabulate and report.

5. **RECEIVE BIDS:** Improvement Resolution #6972-03, *802 Elmer Avenue.*

BIDDERS	BASE BID
Hipskind Concrete	7,218.00
Key Concrete	4,734.00
Newell Construction	**3,685.00**
Engineer's Estimate	**$3,897.00**

Transportation Engineering Services to tabulate and report.

6. Approval of Board of Public Works Minutes of October 29, 2003.

Denise Porter-Ross moved approval. Motion carried. Copy to be herein incorporated.

7. **AWARD:** Improvement Resolution #1584-03, *Evard Road Relief Sewer,* to Land Construction in the amount of $271,415.00. Contract Compliance concurs with this award.

Denise Porter-Ross moved approval. Motion carried. Notice of Award to be sent.

8. **IMPROVEMENT RESOLUTION** #6971-03, *Infrastructure Restoration from Flood 2003.*

Mario Trevino: This project seeks to restore and repair many locations where flood fighting and related equipment damaged infrastructure and private property. Frankly, there are too many locations to try to name this morning. The types of work in the package will involve lawn restoration, guardrail repair,

pavement repair, walk replacement, fence repair – items like that. Our bid opening date is set for November 26 and our substantial completion date is December 31.

Denise Porter-Ross: So, residents whose property is going to be restored already know where these areas are? ...they have already been contacted?

Mario Trevino: I don't know if they have been contacted, but certainly, these areas have been assessed and we are going to move to make these repairs and restoration.

Denise Porter-Ross: So if anyone calls us, we can say will get with you with specifics and go from there?

Mario Trevino: That is correct.

Denise Porter-Ross moved approval. Motion carried. Copy to be herein incorporated.

9. Approval of Construction Contract #1549-03, *2003 Miscellaneous Network Connections*, between the City of Fort Wayne and All Star Construction in the amount of $147,655.00.

   Denise Porter-Ross moved approval. Motion carried. Contract to be sent to City Council for approval.

10. Approval of Escrow Agreement between the City of Fort Wayne and Crosby Excavating for Construction Contract #1586-03, *Philley Avenue Sanitary Sewer*, in the amount of $12,264.20. The escrow agent is Bank One.

    Denise Porter-Ross moved approval. Motion carried. Copy to be sent to escrow agent.

11. Approval of Escrow Agreement between the City of Fort Wayne and All Star Construction for Construction Contract #1549-03, *2003 Miscellaneous Network Connections*, in the amount of $14,765.50.

    Denise Porter-Ross moved approval. Motion carried. Copy to be sent to escrow agent.

12. Approval of recommendation from Transportation Engineering Services to accept the work performed by Hipskind Concrete for Construction Contract #6932-03, *Gilbert Drive: Deforest to Kimberly*, as an integral part of the City's transportation system.

    Denise Porter-Ross moved approval. Motion carried. Acceptance Letter to be sent.

13. Approval of recommendation from Transportation Engineering Services to accept the work performed by G.E. Minear for Construction Contract #6923-03, *Miscellaneous Construction Package 5-A-03*, as an integral part of the City's transportation system.

    Denise Porter-Ross moved approval. Motion carried. Acceptance Letter to be sent.

14. Approval of recommendation from Transportation Engineering Services to accept the work performed by Primco, Inc., for Construction Contract #6921-03, *Downing Avenue*, as an integral part of the City's transportation system.

    Denise Porter-Ross moved approval. Motion carried. Acceptance Letter to be sent.

15. Approval of recommendation from Transportation Engineering Services to accept the work performed by Garcia Concrete for Construction Contract #6930-03, *North Highlands Neighborhood Improvements,* as an integral part of the City's transportation system.

Denise Porter-Ross moved approval. Motion carried. Acceptance Letter to be sent.

16. Approval of recommendation from Transportation Engineering Services to accept the work performed by Hipskind Concrete for Construction Contract #6925-03, *Monroe Street: Lewis Street to Jefferson Boulevard*, as an integral part of the City's transportation system.

    Denise Porter-Ross moved approval. Motion carried. Acceptance Letter to be sent.

17. Approval of recommendation from Transportation Engineering Services to accept the work performed by Key Concrete for Construction Contract #6942-03, *Mount Vernon Park Sidewalks, Curbs, and Drive Approaches*, as an integral part of the City's transportation system.

    Denise Porter-Ross moved approval. Motion carried. Acceptance Letter to be sent.

18. Approval of recommendation from Engineering Support Services to accept the work performed by Kurtz Excavating for Sewer Contract #2003-S-27, *Timberon Section III*, as an integral part of the City's sanitary sewer system.

    Denise Porter-Ross moved approval. Motion carried. Acceptance Letter to be sent.

19. Approval of recommendation from Engineering Support Services to accept the work performed by Cleveland Construction, Inc., for Sewer Contract #2002-S-35, *Sam's Club Outlet Sanitary*, as an integral part of the City's sanitary sewer system.

    Denise Porter-Ross moved approval. Motion carried. Acceptance Letter to be sent.

20. Approval of recommendation from Engineering Support Services to accept the work performed by Kurtz Excavating, Inc., for Water Contract #2003-W-02, *Stratford Forest I & Offsite*, as an integral part of the City's water distribution system.

    Denise Porter-Ross moved approval. Motion carried. Acceptance Letter to be sent.

21. Approval of Change Order #1 received from Geiger Excavating for Construction Contract #625-01, *Rothman Road Relief Sewer*, increasing the original contract price of $1,075,273.00 by $11,000.00. Including this change order, the new contract price will be $1,086,273.00.

    Ron Sheppard: This change order has to do with a large area of clearing that we had to do on the west bank of the Saint Joe River. Our original interceptor that was put in during the early 1970's was not correctly located on the prints; and we had to do some additional clearing. This amount rectifies that situation with the contractor.

    Denise Porter-Ross: ...just a brief update on this particular project. How are we doing on our time?

    Ron Sheppard: They still have until May or June. It has a very long period of time, because we are building a new pump station. That work is progressing very well. In fact, all the lower sections of that are in. We are having some difficulty boring underneath the river and we are working through that; but we are moving forward and are still on schedule.

    Denise Porter-Ross: Are we keeping up with the residential concerns in that area?

    Ron Sheppard: To the best of our knowledge, it is.

    Denise Porter-Ross moved approval. Motion carried. Contract price increased.

22. Approval of Change Order #1 – Final received from Robbco, Inc., for Construction Contract #03-02, *Restoration of Water Utility Cuts*, increasing the original contract price of $299,994.10 by $56,702.25. Including this change order, the new contract amount will be $356,696.35.

Bill Simmons: The increase is due to restoring an unexpected amount of concrete and asphalt street cuts along with parkstrip cuts where our water main breaks occurred. Also, an increase in the maintenance and location of valve and curb boxes. In the handout I provided you with is a rundown of the different types of work that Water Maintenance performs.

Bob Kennedy: Are there more breaks than you bid in the original contract.

Bill Simmons: I would say, "Yes." There are a few more, but I have to say we also have a problem with the parkstrips and easements. There has been an increase in the areas of restoration with those two. That is why I did mention those. We have done well over a thousand restorations this year. We are practically, for this whole year, over two thousand. At the end of this year, with my final contract, I will give you a total number; and I think you'll be surprised.

Denise Porter-Ross: I know we are doing a lot more work than we have done in the past and we're doing it as efficiently as possible.

Bill Simmons: There is a lot more work being done, too, maintenance-wise. They've increased their maintenance of valve boxes, curb boxes, etc., and it is showing up here in cost. We are also getting this thirty-day turnaround. It's working great.

Denise Porter-Ross: When we go to bid in 2004, will we take some of this information into considerations when we are looking at what our estimate is?

Bill Simmons: Well, yes and no. We have a budget that we have to work with. I would love to be able to plug in the quantities that I actually felt we would use or be within reason of for next year.

Greg Meszaros: What we try to do is budget for a average year taken from a three year trend and that to drive our restoration budget. We don't try to budget for a low year or a high year.

Denise Porter-Ross moved approval. Motion carried. Contract price increased.

23. Approval of Change Order #1 received from Hagerman, Inc., for Construction Contract #1512-03*, Camp Scott Phase One - Pumping Facilities*, increasing the original contract price of $3,547,000.00 by $5,844.00. Including this change order, the new contract price will be $3,552,844.00.

Ron Sheppard: This increase is for the (inaudible) control package that we use at the pump station. We want to make this just like our Rothman Road and Pleasant Avenue pump stations. We originally had ten thousand dollars in it; and working with the plant to get them everything they want it is going to cost us an additional $5,844.00. ...so we have similarity between all of our new pump stations.

Denise Porter-Ross moved approval. Motion carried. Contract price increased.

24. Approval of Change Order #1 – Final, received from All Star Construction for Construction Contract #1112-02, *Burns Boulevard Water Main Replacement*, increasing the original contract price of $69,627.00 by $75.00. Including this change order, the new contract price will be $69,702.00.

This is a very small change order, but we did use some work allowance items on a couple of services that we had installed when we did the Calhoun water main, because they ran halfway down the block and we wanted to keep them at service on that new main. We had to disconnect those once we put in this Burns main. We also had some test risers. This is one of our older projects. We have changed the way we do it now; but originally, we were going to have Water Maintenance install the test risers. At

the time we bid this, Water Maintenance did not have that capability, so needed to have the contractors do that. So on these early ones, that's a price we did not have included in the bid. On the current bids, we include that in the bids so it's not a change. So, that's what most of this change order is.

Denise Porter-Ross moved approval. Motion carried. Contract price increased.

25. Approval of Change Order #2 – Final, received from All Star Construction for Construction Contract #1100-02, *Charlotte Avenue Water Main*, increasing the original contract price of $250,744.90 by $1,789.10. Including this and previous change orders, the new contract price will be $281,774.08.

    This change order is final adjustments for this particular project. We had several additional short services and long services. You just find these when you are going through the project. We had a reduction in surface milling, because Transportation Engineering was also doing a project in that same area and they had milled some of that off already, so we did not have to include that in our contract. We had some decreases in curb ramps for the same reason that Transportation Engineering had already taken care of them.

    Denise Porter-Ross moved approval. Motion carried. Contract price increased.

26. Approval of Change Order #1 – Final, received from Key Concrete for Construction Contract #6965-03, *East Maple Grove Curb Improvement*, increasing the original contract price of $97,800.00 by $7,350.20. Including this change order, the new contract price will be $105,150.20.

    Mario Trevino: This final change order involves constructing additional Curb Type 1-B along an area where we were going to put in some walk that is an existing curb-faced walk. We had planned to saw away the sidewalk and construct new walk and abut it to the existing curb. What we opted to do is to remove both the walk and the curb to make it a more comprehensive or better project overall. It proved to be a better solution than our original plan. We also went a little further back into some drives to get the desired positive drainage. There was some additional bed-course material to address the compacted aggregate and to address the additional curb that we constructed.

    Denise Porter-Ross moved approval. Motion carried. Contract price increased.

27. Approval of Change Order #1 – Final, received from Bunn Excavating for Construction Contract #6915-03, *Resurfacing Package 3 – 2003,* decreasing the original contract price of $922,498.65 by $44,932.74. Including this change order, the new contract price will be $877,565.91. In addition, the time provided for completion of this project will be increased by 46 days to September 15, 2003.

    Mario Trevino: This resurfacing package involved adding some additional streets. Chacapeta Pass, which was on the Street Department's resurfacing list, involved a lot more extensive type restoration/rehabilitation, so it made sense to include that with our resurfacing package. Along with that, Sacaden Parkway and Angler Pass are all in the same area with similar types of conditions. That involved adding additional cost and mobilization, pavement removal, common excavation, and compacted stone to address the condition of these three streets. We also had a request from Traffic Engineering to replace the painted striping items in our contract with thermal plastic striping. The completion date was extended to September 15 as you mentioned, to include the additional streets that we had involved with this project.

    Denise Porter-Ross moved approval. Motion carried. Contract price decreased.

28. Approval of Change Order #1 – Final, received from Primco, Inc., for Construction Contract #6921-03, *Downing Avenue: Hoagland Avenue to Fairfield Avenue*, decreasing the original contract price of $69,714.83 by $76.46. Including this change order, the new contract price will be $69,638.37.

Mario Trevino: This final change order just involves adding a few items that were omitted in the original project, such as water valve adjustments, furnishing and adjusting water valves, and some asphalt patching behind a walk onto a parking area.

Denise Porter-Ross moved approval. Motion carried. Contract price decreased.

29. Approval of agreement between the City Fort Wayne and Malcolm Pirnie, Inc., to provide professional services for the preliminary engineering of Subbasins K15-112 and K15-009. The cost of the work is not to exceed $166,000.00 and will be paid for from Sewer Utility Revenues. Planning and Design Services recommends approval.

See item 30.

30. Approval of agreement between the City of Fort Wayne and Malcolm Pirnie, Inc., to provide professional services for the preliminary engineering of Subbasins O06-017 and P06-119. The cost of the work is not to exceed $166,000.00 and will be paid for from Sewer Utility Revenues. Planning and Design Services recommends approval.

Pat Callahan: As I think you are aware, we have a combined sewer capacity improvement program, and the idea is to go through the whole combined sewer capacity improvement area and provide the level of protection from combined sewer backups so that people don't experience combined sewer backups during a 25 year storm event. The process for actually doing projects is, we started off with a conceptual idea of what might need to be done in a basin. The next step is to go in and do an analysis of each subbasin and get a good problem definition of what is going on within the subbasin, and then come up with the recommended projects to be done. That is what these contracts cover. It is a problem definition phase, project identification phase. There is a whole process that we go through to do this, including involving neighborhood representatives and people from other departments. Once these projects are done, then we put out contracts to other consultants to do the final design work.

Denise Porter-Ross moved approval of items 29 and 30. Motion carried. Copy to be placed on file in vault.

31. Approval of Amendment #1 to the to the Contract for Professional Engineering Services between the City of Fort Wayne and Commonwealth Engineers, Inc., to provide additional design services for the Parkerdale Sanitary Sewer Extension. This amendment is for and additional $13,500.00 and increases the not-to-exceed amount to $111,500.00. Planning and Design Services recommends approval.

Paul Powers: This project is a septic tank removal project in the area just north of Shoaff Park on St. Joe Road. In the process of going through the final design for this project, we ran into some problems with the locate in our lift station. We did have to change that location to another lot. In that process, we have to do some sewer rerouting, and also reroute a sewer on 46th Street where the homeowners wish to have it behind their houses instead of in front. That was their desire and actually cheaper for us to do so, so we went ahead and implemented that change. This also incorporates some additional design, as well as some easements that will be involved with those changes.

Denise Porter-Ross moved approval. Motion carried. Copy to be placed on file in vault.

32. Approval of Amendment #4 to the Contract for Professional Services between the City of Fort Wayne and Malcolm Pirnie, Inc., for assistance with the CSO LTCP. The cost of the amendment is not to exceed $50,920 and will be paid for from Sewer Utility Revenues. This brings the total contract amount to $1,000,743.00. Planning and Design Services recommends approval.

Pat Callahan: As Greg mentioned, we are involved in some very intensive discussions with EPA and IDEM on our Long Term Control Plan (LTCP). The EPA has hired a technical consultant to review the technical portion of our plan, especially modeling and those types of things that are very mathematical

and theoretical. Malcolm Pirnie put together the original LTCP and this cost is for Malcolm Pirnie to participate in these meetings with EPA and IDEM and explain those parts of our LTCP.

Denise Porter-Ross moved approval. Motion carried. Copy to be placed on file in vault.

33. Approval of Sanitary Sewer Contract #2003-S-32, *Winchester Road – South of Dunkelberg Road*, between the City of Fort Wayne and Mark E. and Cheryl A. Jackemeyer, to construct a local sanitary sewer system to serve Winchester Road south of Dunkelberg Road. This project is privately funded, located outside the City of Fort Wayne, and is in a green zone. The contract contains provisions for Waiver of Remonstrance against annexation. A letter of conceptual approval has been granted.

Jack Suter: This is an effort by a group of property owners that is getting together to do some septic tank relief on their own. There is approximately 2,500 feet of sewer line that they are funding. It is a reimbursement contract, so as people hook onto it, they will pay the original contributors of the contract.

Denise Porter-Ross moved approval. Motion carried. Sewers to be constructed.

34. Approval of Water Contract #2003-W-23, *Maysville Road Water Main Extension to Serve Cracker Barrel*, between the City of Fort Wayne and Cracker Barrel #526, to construct water main systems, including all necessary fittings to serve the Cracker Barrel located in section 24 of Saint Joseph Township. This project is privately funded and located outside the City of Fort Wayne.

Jack Suter: This is at the intersection of I-469 and Maysville Road. As Bob just explained, a new Cracker Barrel restaurant is going there and they need to extend a water line to get to it – a short line, some hundred feet long and that is it.

Denise Porter-Ross moved approval. Motion carried. Water main to be constructed.

35. Approval of Special Water Contract #2003-W-24, *Huntertown Feeder Main – Northbrook Segment,* between the City of Fort Wayne and the Chestnut Group, Inc., for the construction and transfer of 4,850 feet of 16" water main.

Ted Nitza: This is located along a portion of Till Road between Coldwater Road and Lima Road, and through the western portions of Salomon Farm Park up to Dupont Road. The contract for consideration would allow the offsite drinking water infrastructure and provide water to the proposed Northbrook Villas on Dupont Road. Northbrook Villas will include an initial 79 units with plans to add, perhaps, 36 more at a future date. Also significant is the approximately 4,850 feet of 16" diameter feeder main pipe, which will provide water access along a portion of Till Road and areas north of Dupont for consideration. Several inquiries have been received from the Woodmont and Woodmont Oaks subdivisions residents for City water. This segment will also bring the Utility's drinking water infrastructure much closer to Huntertown, where interest has been expressed in providing emergency-type interconnections to their water supply. The feeder main segment has already been conceptually described on the Utility's Capital Improvement Plan for some time now, and its current completion will contribute to the economic advancement of those capital needs. The considered contract will charge the developer with first constructing the water main, and then to seek reimbursement from the City for the cost of the offsite piping and a portion of the base piping on his site over a five year period.

Denise Porter-Ross moved approval. Motion carried. Water mains to be constructed.

36. Approval of agreement between the City of Fort Wayne and ADS Environmental Services to provide professional inspection services for various potential regulator/discharge point sites to determine their acceptability as metering sites. This is a time and material agreement that is not to exceed $26,000.00 and will be paid for from WPC Utility Revenues.

Pat Callahan: Again, in our discussion with EPA and IDEM, the have requested that we monitor every CSO outfall with a meter. It sounds like a very simple request, but it is a very complex situation and it can become very expensive. The purpose of this contract is to get an independent firm to come in and do an objective evaluation of each of the sites where meters might be placed and determine if that is, in fact, feasible. If it is not, then we are in a position to present alternative methods of monitoring.

Denise Porter-Ross moved approval. Motion carried. Copy to be placed on file in vault.

37. Approval of secondary subdivision plat for Saddle Brook Section II.

    See item 41.

38. Approval of secondary subdivision plat for Saddle Brook Villas.

    See item 41.

39. Approval of secondary subdivision plat for Stone Creek Section IV.

    See item 41.

40. Approval of secondary subdivision plat for Sutter's Cove Section I.

    See item 41.

41. Approval of secondary subdivision plat for Brickshire Village Section I.

Denise Porter-Ross moved approval of items 37 to 41. Motion carried. Plats to be sent to Planning Department.

42. Approval of write-off of City Utilities' delinquent revenue accounts for the month of August 2003, in the amount of $48,854.49.

    Denise Porter-Ross moved approval. Motion carried. Write-offs to be sent to CU Accounting.

43. Approval of write-off of City Utilities' miscellaneous billings in the amount of $352.00.

    Denise Porter-Ross moved approval. Motion carried. Write-offs to be sent to CU Accounting.

44. Approval of Barrett Law Claims in the amount of $99,277.15 for the week of November 12, 2003.

    Denise Porter-Ross moved approval. Motion carried. Claims to be sent to Finance Department.

45. Approval of General Accounting Claims in the amount of $11,366,440.17 for the week of November 5, 2003.

    Denise Porter-Ross moved approval. Motion carried. Claims to be sent to Finance Department.

46. Approval of General Accounting Claims in the amount of $3,047,504.47 for the week of November 12, 2003.

Denise Porter-Ross moved approval. Motion carried. Claims to be sent to Finance Department.

47. Old Business.

i. Approval of Change Order #1 received from Wayne Asphalt for Construction Contract #6956-03, *Irene Avenue: Ethel Avenue to Poinsette Avenue*, increasing the original contract amount of $240,970.80 by $69,813.42. Including this change order, the new contract price will be $310,784.22.

Mario Trevino: This is a significant change order that involves some unforeseen items. That unforeseen item was unstable soils as they began to install the storm sewer pipe. Very early on, the sides of the trench began to cave in on the trench box, making it very difficult and very unsafe for the contractor to install the pipe. So, we approved widening the trench to make it easier to install the storm sewer pipe, and safer to do that. What is involved with that, however, is the additional cost and quantity for excavation and compacted stone. This change order before you involves that additional quantity for excavation and compacted stone.

Denise Porter-Ross moved approval. Motion carried. Contract price increased.

48. New Business.

Meeting adjourned at 9:58 a.m.

Robert P. Kennedy, Chairman

NOT PRESENT @ 11-12 MTG. jmB
John Suarez, Member

Denise Porter-Ross, Member

ATTEST: _____
Justin Brugger, Clerk

BOARD OF STORMWATER MANAGEMENT MINUTES
NOVEMBER 12, 2003

ROOM 250 – OMNI ROOM
MEETING HELD AT 9:58 AM

GREG MESZAROS, CHAIRMAN
JOHN SUAREZ, MEMBER
DENISE PORTER-ROSS, MEMBER
JUSTIN BRUGGER, CLERK

Present: Greg Meszaros, Denise Porter-Ross, and Justin Brugger. Robert P. Kennedy – Associate Director of Public Works and Utilities. Chuck Bailey and Carl Wilson – Contract Compliance. Mark Gensic, Pat Callahan, and Matthew Wirtz – Planning and Design Services. John Perlich – Public Information Officer. Jack Suter – Development Services. Ken Nicolet – Public Works Administration. Ron Sheppard – Engineering Support Services. Not Present: John Suarez.

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1. Approval of Board of Stormwater Management Minutes of October 29, 2003.

   Denise Porter-Ross moved approval. Motion carried. Copy to be herein incorporated.

2. Approval of Construction Contract #673-02, *Ventura – Farwood East Stormwater System Improvements*, between the City of Fort Wayne and Bercot, Inc., in the amount of $297,819.00.

   Ron Sheppard: With the Board schedule and Council schedule this month being somewhat difficult to get everything work out, and since we have already done the award for this, we will ask for prior approval so I can introduce it the last Tuesday of this month and get Bercot started on this right away.

   Denise Porter-Ross moved approval. Motion carried. Prior approval has been requested. Contract to be sent to City Council.

3. Approval of Construction Contract #1569-03, *Westlane Road Storm Drainage Improvement*, between the City of Fort Wayne and Fleming Excavating in the amount of $102,827.66.

   Ron Sheppard: We are going to request standard approval on this one.

   Denise Porter-Ross moved approval. Motion carried. Contract to be sent to City Council.

4. Approval of Sewer Contract #2003-ST-15, *Marsh Off-Site Storm Sewer*, between the City of Fort Wayne and Marsh Supermarkets, LLC, to construct a locate storm drainage system to serve the Marsh Off-Site Storm Sewer.

   Jack Suter: Marsh is constructing about 2,800 feet of new off-site storm sewer lines to not only drain their site, but to improve some storm drainage in an adjacent subdivision. All of that water will be then placed in a detention basin and then into the rest of the stormwater system.

   Denise Porter-Ross: How is the timing on that?

   Jack Suter: They are ready to build the sewer now.

   Denise Porter-Ross moved approval. Motion carried. Sewer to be constructed.

5. Old Business.

6. New Business.

Meeting adjourned at 10:01 a.m.

Robert P. Kennedy, Chairman

John Suarez, Member

Denise Porter-Ross, Member

ATTEST: _____
Justin Brugger, Clerk

BOARD OF PUBLIC WORKS MINUTES
NOVEMBER 19, 2003

BOARD OF PUBLIC WORKS
ROOM 250 – OMNI ROOM
MEETING HELD AT 9:00 A.M.

ROBERT P. KENNEDY, CHAIRMAN
JOHN SUAREZ, MEMBER
DENISE PORTER-ROSS, MEMBER
JUSTIN BRUGGER, CLERK

Present: Robert P. Kennedy, Denise Porter-Ross, John Suarez, and Justin Brugger. Ron Sheppard – Engineering Support Services. Mark Gensic, Ted Nitza, and Matthew Wirtz – Planning and Design Services. Jack Suter – Development Services. Mario Trevino – Transportation Engineering Services. Chuck Bailey and Carl Wilson – Contract Compliance. Ken Nicolet and Rick Orr – Public Works Administration.

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1. Approval of Board of Public Works Minutes of November 12, 2003.

   Denise Porter-Ross moved approval. Motion carried. Copy to be herein incorporated.

2. **AWARD:** Improvement Resolution #1640-03, *General Cured-in-Place 2003 Sewer Rehabilitation #2*, to Environmental Pipeliners in the amount of $502,655.00. Contract Compliance concurs with this award.

   John Suarez: The low-bid vs. the estimate is a difference of $150,000.00.
   Ron Sheppard: Mike Hicks did redo his engineer's estimate last week; he is not here today. We talked about it, and talked to several contractors as to how they came up with their numbers. The biggest thing on this one is we have a large number of very short segments, which increases the mobilization and demobilization costs, especially on the 18 and 24-inch pipeline sizes; and that's where the largest increase was over Mike's estimate. We have a nice, long, straight section of 36" and we were right in line with the engineer's estimate and with the contactor's bid on that. It was the medium sized pipe. With such short segments, the contractor's increased their mobilization and demobilization costs. Mike had not done that as much. He just plugged in his normal straight-line numbers. We realized that after he did his review. We will do a budget adjustment to cover cost, but that is where the biggest difference is.

   Denise Porter-Ross moved approval. Motion carried. Notice of Award to be sent.

3. **AWARD:** Improvement Resolution #6973-03, *Calhoun Street Viaduct Handrail*, to Gensic Creative Metals in the amount of $37,760.50. Contract Compliance concurs with this award.

   John Suarez moved approval. Motion carried. Notice of Award to be sent.

4. **AWARD:** Improvement Resolution#6969-03, *Tennessee Avenue – Spy Run Avenue*, to Hipskind Concrete in the amount of $78,585.00. Contract Compliance concurs with this award.

   Denise Porter-Ross moved approval. Motion carried. Notice of Award to be sent.

5. **AWARD:** Improvement Resolution #6972-03, *Elmer Avenue*, to Newell Construction in the amount of $3,685.00. Contract Compliance concurs with this award.

   John Suarez moved approval. Motion carried. Notice of Award to be sent.

6. **AWARD:** Improvement Resolution #6970-03, *Miscellaneous Construction Package 5-C-03*, to Hipskind Concrete in the amount of $1,780.00. Contract Compliance concurs with this award.

Denise Porter-Ross moved approval. Motion carried. Notice of Award to be sent.

IMPROVEMENT RESOLUTION #1117-03, *Northwest Pump Station #2 and Water Mains Phase 2 Pump Station Construction.*

Matthew Wirtz: The resolution before you is for Pump Station #2 serving our Northwest Pressure District, which is on the north side of the City. Back in June, we approved Phase One of this project, which is the water main portion, to serve the station and to connect into the Northwest Pressure Zone. This contract is for about a 2MGD water pump station. It is approximately 45 x 13 ft. It is very small. It is actually going to be a pre-packaged station. It will show up on the back of a semi, will be set-down on the site, and then water, electrical, and so-forth, will be installed. It is one of our bigger projects for next year, and we plan to have it operational by next summer.

John Suarez moved approval. Motion carried. Copy to be herein incorporated.

8. Approval of Change Order #1 – Final, received from Key Concrete, Inc., for Resolution #90-339-22, *Emergency Concrete Repair at East State and Windrush Drive*, decreasing the original contract price of $10,991.00 by $104.75. Including this change order, the new contract price will be $10,886.25.
Mario Trevino: This is simply a result of less quantity used for concrete pavement.

Denise Porter-Ross moved approval. Motion carried. Contract price decreased.

9. Approval of Change Order #1 received from Lawrence Construction for Construction Contract #1555-03, *Office & Employee Area at Biosolids Facility*, decreasing the original contract price of $79,450.00 by $2,216.00 to $77,234.00.

Ron Sheppard: This was a work allowance item that we did not need to use. The building is now up and running, and we haven't had any problems with it.

John Suarez moved approval. Motion carried. Contract price decreased.

10. Approval of recommendation from Transportation Engineering Services to accept the work performed by Key Concrete, Inc., for Construction Contract #6954-03, *Miscellaneous Construction Package 1-A-03*, as an integral part of the City's transportation system.

Denise Porter-Ross moved approval. Motion carried. Acceptance Letter to be sent.

11. Approval of recommendation from Engineering Support Services to accept the work performed by Kurtz Excavating for Sanitary Sewer Contract #2003-S-13, *Stratford Forest Section I – Sanitary*, as an integral part of the City's sewer system.

John Suarez moved approval. Motion carried. Acceptance Letter to be sent.

12. Approval of agreement between the City of Fort Wayne and Fort Wayne Urban League, Inc., allocating $75,000.00 from Council At-Large CEDIT Funds to be used for capital improvements at the Urban League portion of the redevelopment project bounded by Hanna Street, Buchanan Street, Weisser Park Avenue, and Creighton Street. In addition, Fort Wayne Urban League, Inc., will hold the City harmless from any claims arising from the use of said funds.

    Rick Orr: This is one of our CEDIT Grants. You are probably already familiar with the project going on over there. It is three agencies that are involved. This particular grant is specific to the Urban League portion of the project, which includes the library, Head Start, and the Urban League.

    Denise Porter-Ross moved approval. Motion carried. Copy to be placed on file in vault.

13. Approval of agreement between the City of Fort Wayne and Arts United of Greater Fort Wayne allocating $67,419.06 from Council At-Large CEDIT Funds and $5,000.00 from Council District One CEDIT Funds, as a partial reimbursement for capital improvement expenses incurred during the ARTS Plaza Project exterior site renovation. In addition, Arts United will hold the City harmless from any claims arising from the use of said funds.

    Rick Orr: This is kind of Part Two of a grant that we did earlier this year. At-Large had allocated $200,000.00 in total to the project that is currently underway in front of the Performing Arts Center. They have removed some of the sculptures and done some of the brickwork; they are now wrapping up the brick paving work in the front of the building. They have redone some of the public sidewalks and the entranceway. This is the balance of it.

    John Suarez moved approval. Motion carried. Copy to be placed on file in vault.

14. Approval of Professional Services Agreement between the City of Fort Wayne and Malcolm Pirnie, Inc., for preliminary design of the North Maumee Equalization Basin. This agreement is not to exceed $98,000.00 and will be funded through the Sewer Utility. Planning and Design Services recommends approval.

    Denise Porter-Ross moved to table. Motion carried. Item tabled.

15. Approval of Professional Services Agreement between the City of Fort Wayne and Donohue & Associates to provide services associated with the Telemetry Migration to iFIX at the Three Rivers Filtration Plant. This agreement is not to exceed $19,613.00 and will be funded through the Water Utility. Planning and Design Services recommends approval.

    Mark Gensic: The City monitors the status of our pumps and our towers and pump stations and system pressure by radio. It used to be done by landline, but the radios are less expensive. Radios aren't radios anymore, and computers aren't computers anymore – they're all coming together. This control system is about replacing a couple of logical controllers, which are industrial-type computers. We are going to replace two computers and we are going to do some telemetry panel radio cabling/wiring, and we are going to update our electrical power source at the Water Filtration Plant in order to go into our high-service pump and also to monitor the status of our water towers and water pressure out in the system. So, it's just a little bit of radio/computer type work at the plant.

    Denise Porter-Ross moved approval. Motion carried. Copy to be placed on file in vault.

16. Approval of Professional Services Agreement between the City of Fort Wayne and Design Collaborative to provide engineering services for the design of heating, ventilation, and air conditioning systems for the West Pump Room at the Three Rivers Filtration Plant. This agreement is for a lump sum amount of $9,305.00. Planning and Design Services recommends approval.

Mark Gensic: This is a little project at the Water Filtration Plant associated with upgrading one of our pump buildings. In the summer, we rely very heavily on this pump room to provide additional water and pressure as our customers use more water. Also, we have recently made improvements to high service pumps two and nine and this has a little bit to do with this project. Those pumps are run by big electrical motors and they put out a lot of heat. So, this is an upgrade to that building to put more cooling into that room so we can protect our electrical switchgear controls and the motors themselves.

John Suarez moved approval. Motion carried. Copy to be placed on file in vault.

17. Approval of Resolution amending AquaSource Condemnation Issue to extend the appraisal period from 120 days to 180 days; and approval of Amendment #4 to corresponding appraisal contracts with Malcolm Pirnie, Inc., and Crowe, Chizek, and Company, LLC.

Ted Nitza: Previously, this Board has approved a resolution of two contracts for determining the value of the North System of AquaSource for use in condemnation proceedings. Shortly thereafter, Philadelphia Suburban Corporation took possession of AquaSource throughout the United States. This Board has approved extensions in the time allowed for the preparation of these appraisals. These extensions have allowed for the preparation of these appraisals. These extensions have allowed the obtaining of information at several meetings with Philadelphia Suburban. They have indicated that they will provide further information that is forthcoming, and thus, I recommend accommodating an additional sixty days for further consideration. This extension will proceed through the upcoming holiday season and will require completion shortly after the New Year. The three documents for your consideration include a resolution extending the time allowed for the appraisal preparation to 180 days, and also the corresponding amendments to the contracts with Malcolm Pirnie and Crowe Chizek to perform this work.

Denise Porter-Ross moved approval. Motion carried. Resolution to be herein incorporated. Amendments to be placed on file in vault.

18. Approval of Barrett Law Claims in the amount of $6,426.24 for the week of November 12, 2003.

John Suarez moved approval. Motion carried. Claims to be sent to Finance Department.

19. Approval of General Accounting Claims in the amount of $8,716,442.95 for the week of November 12, 2003.

Denise Porter-Ross moved approval. Motion carried. Claims to be sent to Finance Department.

20. Old Business.

21. New Business.

i. Approval of Encroachment License Agreement for Wagner Electric Sign Company (Embassy Theatre), located at 121 West Jefferson Boulevard.

Denise Porter-Ross moved approval. Motion carried. Encroachment Agreement to be recorded.

ii. Approval of recommendation from Transportation Engineering Services to accept the work performed by Wayne Asphalt for Construction Contract #6929-03, *Reserve Line Road: Lakewood to Cul-de-sac*, as an integral part of the City's transportation system.

John Suarez moved approval. Motion carried. Acceptance Letter to be sent.

iii. Approval of Construction Contract #6972-03, *Elmer Avenue*, between the City of Fort Wayne and Newell Construction in the amount of $3,685.00.

Denise Porter-Ross moved approval. Motion carried. Notice to Proceed to be sent.

iv. Approval of Construction Contract #6962-03, *Bluffton Road and Lower Huntington Road Intersection*, between the City of Fort Wayne and Lights and Signals, Inc., in the amount of $40,933.00.

Denise Porter-Ross moved approval. Motion carried. Notice to Proceed to be sent.

Meeting adjourned at 9:25 a.m.

Robert P. Kennedy, Chairman

John Suarez, Member

Denise Porter-Ross, Member

ATTEST: _____
Justin Brugger, Clerk

BOARD OF STORMWATER MANAGEMENT MINUTES
NOVEMBER 19, 2003

ROOM 250 – OMNI ROOM
ETING HELD AT 9:28 AM

GREG MESZAROS, CHAIRMAN
JOHN SUAREZ, MEMBER
DENISE PORTER-ROSS, MEMBER
JUSTIN BRUGGER, CLERK

Present: Denise Porter-Ross, John Suarez, and Justin Brugger. Robert P. Kennedy – Associate Director of Public Works and Utilities. Chuck Bailey and Carl Wilson – Contract Compliance. Mark Gensic – Planning and Design Services. Nancy Townsend and Jack Suter – Development Services. Ken Nicolet – Public Works Administration. Ron Sheppard – Engineering Support Services. Not Present: Greg Meszaros.

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1. Approval of recommendation from Engineering Support Services to accept the work performed by Kurtz Excavating for Storm Sewer Contract #2003-ST-07, *Sutters Cove Storm,* as an integral part of the City's sewer system.

   John Suarez moved approval. Motion carried. Acceptance Letter to be sent.

2. Approval of recommendation from Engineering Support Services to accept the work performed by Kurtz Excavating for Storm Sewer Contract #2003-ST-12, *Stone Creek Section IV Storm*, as an integral part of the City's sewer system.

   John Suarez moved approval. Motion carried. Acceptance Letter to be sent.

3. Old Business.

4. New Business.

   i. **IMPROVEMENT RESOLUTION:** 1650-03, *Hatfield Road Storm Sewer Project*. Invitation to Bidders.

   Nancy Townsend: We have received the quotes for this storm sewer installation in the Hatfield Road/Washington Center Road intersection area. Hatfield Road has a depressed area with a chronic standing water problem. We have had a number of requests from business owners and residents in the area to address the problem. We have put together a storm sewer installation that involves the installation of just a little over 1,050 feet of storm sewer ranging in size from 12 inch to 24 inch. It's going to go north along Hatfield Road and then east along Washington Center Road. We received quotes from three contractors. The quotes were very competitive and all came in below $75,000.00, which is the maximum we can go to receive invitational bids. TE was the low bidder; they can complete the work by the end of December of this year. Washington Center will be closed for two days. We did coordinate all of this with the Transportation Department. Also, we have been in contact with Ceruti's and the other businesses in the area. Of course, being the holiday season, Ceruti's will be busy with all of the parties. They were quite supportive of the project; they wanted to start today.

   Denise Porter-Ross: Will Washington Center Road be closed completely for cross-traffic or just for traffic into Hatfield.

   Nancy Townsend: It will be open to local traffic, but all non-local traffic will be detoured at Lima and Huguenard.

   John Suarez moved approval. Motion carried. Copy to be herein incorporated.

Meeting adjourned at 9:31 a.m.

Robert P. Kennedy, Chairman

John Suarez, Member

Denise Porter-Ross, Member

ATTEST: _____
Justin Brugger, Clerk

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BOARD OF PUBLIC WORKS AGENDA
NOVEMBER 26, 2003

BOARD OF PUBLIC WORKS
ROOM 250 – OMNI ROOM
MEETING HELD AT 9:00 A.M.

ROBERT P. KENNEDY, CHAIRMAN
JOHN SUAREZ, MEMBER
DENISE PORTER-ROSS, MEMBER
JUSTIN BRUGGER, CLERK

Present: Robert P. Kennedy, Denise Porter-Ross, John Suarez, and Justin Brugger. Ron Sheppard – Engineering Support Services. Mark Gensic, Ted Nitza, and Matthew Wirtz – Planning and Design Services. Jack Suter – Development Services. Mario Trevino – Transportation Engineering Services. Chuck Bailey and Carl Wilson – Contract Compliance. Ken Nicolet and Rick Orr – Public Works Administration.

1. **RECEIVE BIDS:** Improvement Resolution #6971-03, *Infrastructure Restoration from Flood 2003.*
   No bids received.

2. Approval of Board of Public Works Minutes of November 19, 2003.
   John Suarez moved approval. Motion carried. Copy to be herein incorporated.

3. Approval of Change Order #1 – Final, received from API for Construction Contract #6926-03, *Huguenard Road*, decreasing the original contract price of $750,868.94 by $20,661.58. Including this change order, the new contract price will be $730,207.36.
   Dave Ross: This project is complete and this is what this change order is about. It is to close out the project and make the changes necessary to construct the improvement. As you remember, it was the signalization of Washington Center and Huguenard Road and then extending Huguenard to the north with the three-lane section for commercial lane use. The project is complete and I have gotten very good comments back. Items increased were the aggregate base and the wedge and leveling. We did save on pavement patching and the binder layer.
   Denise Porter-Ross moved approval. Motion carried. Contract price decreased.

4. Approval of Change Order #1 – Final, received from Newell Construction for Construction Contract #6972-03, *802 Elmer Avenue*, decreasing the original contract price of $3,685.00 by $325.00. Including this change order, the new contract price will be $3,505.40.
   Mike Fruchey: This change order is an adjustment of final quantities.
   John Suarez moved approval. Motion carried. Contract price decreased.

5. Approval of Change Order #2 – Final, received from Wayne Asphalt for Construction Contract #6956-03, *Irene Avenue: Ethel Avenue to Poinsette Avenue*, increasing the original contract price of $240,970.80 by $3,390.86. Including all change orders, the new contract price will be $314,175.08.
   Mike Fruchey: This is an adjustment of final quantities. We did have some overruns in the asphalt area, especially on the surface, which led to the increase.
   John Suarez moved approval. Motion carried. Contract price increased.

6. Approval of Change Order #3 received from Wayne Asphalt for Construction Contract #6907-03, *Paulding Road – Lafayette Street to Anthony Boulevard*, increasing the original contract price of $887,161.78 by $5,044.60. Including all change orders, the new contract price will be $898,736.93.
   Dave Ross: This is a change order to address traffic signal needs. We had designed to have a pedestrian indication there because of the schools in the area, but we need a pedestal to mount that indication on. This applies that pedestal and also during the reconstruction of the sidewalks and detector housing for the traffic signal that is removed and this is to reestablish detector housing at that intersection for the wiring necessary for that signal. The schedule for this project is they have binder on Paulding Road today and they are finishing raising manhole castings, because they are adding an inch and a half of surface. That is scheduled to take place Monday.

Denise Porter-Ross moved approval. Motion carried. Contract price increased.

7. Approval of Special Street Permits for NED Corporation and their Agent(s) to construct, in accordance with approved plans and profiles, the following streets in the City of Fort Wayne: Westfield Drive and Stone Point Drive.
Mike Fruchey: TES is recommending approval of this permit for the construction of Westfield Drive and Stone Point Drive which will service four commercial lots. The total of all sections is 905.57 LF. All construction will be consistent with City of Fort Wayne standards.
John Suarez moved approval. Motion carried. Streets to be constructed.

8. Approval of recommendation from Engineering Support Services to accept the work performed by Lawrence Construction for Construction Contract #1555-03, *Office and Employee Area at Biosolids Facility*.
Denise Porter-Ross moved approval. Motion carried. Acceptance Letter to be sent.

9. Approval of recommendation form Engineering Support Services to accept the work performed by Fox Contractors for Work Order #73267, *Auto Truck – Lower Huntington Road*.
John Suarez moved approval. Motion carried. Acceptance Letter to be sent.

10. Approval of recommendation from Engineering Support Services to accept the work performed by Kurtz Excavating for Water Contract #2003-W-03, *Morgan Creek Section III*, as an integral part of the City's water distribution system.
Denise Porter-Ross moved approval. Motion carried. Acceptance Letter to be sent.

11. Approval of recommendation from Engineering Support Services to accept the work performed by Robbco, Inc., for Construction Contract #03-02, *Restoration of Water Maintenance Utility Cuts*.
John Suarez moved approval. Motion carried. Acceptance Letter to be sent.

12. Approval of Authorization for Full Release of Escrow received from Insituform Technologies for Construction Contract #650-01, *Forest Park Combination Sewer Rehabilitation*, in the amount of $80,534.65.
Denise Porter-Ross moved approval. Copy to be sent to Escrow Agent.

13. Approval of Annual Contract with Kelley Advertising to write, design, and prepare at least one, but no more than four monthly Utility bill stuffers at the rate of $85.00 per hour.
Denise Porter-Ross moved approval. Motion carried. Copy to be placed on file in vault.

14. Approval of Professional Services Agreement between the City of Fort Wayne and Bonar Group for Program Management for Wastewater Treatment Plant Capital Program for 2004.
Mark Gensic: We have identified a person who has done a number of City projects for us, Kent Halloran of Bonar Group; he is currently working out the last couple of months of an agreement we signed earlier, mostly working on lift station projects – Third Street, Morton Street, Shackleford. A number of our lift stations are moving into improvements with planning and capital design in order to continue to prevent basement backup and to continue to be in compliance with our long-term control plan. This is for $130,000.00 for Bonar's services for the entire year of 2004.
Denise Porter-Ross moved approval. Motion carried. Copy to be place on file in vault.

15. Approval of Professional Services Agreement between the City of Fort Wayne and Cleland Environmental Engineering for Program Management for the Wastewater Treatment Plant's Capital Program.
Mark Gensic: The purpose of this project is to provide management services for the City's wastewater treatment plant capital programs for the Water Resources Planning and Design Department. This will involve the identification of capital projects and selection and management of design consultants for wastewater treatment plant improvement projects for the City of Fort Wayne including the cooperative interaction with other City departments for planning, design, project management, and program management.
John Suarez moved approval. Motion carried. Copy to be placed on file in vault.

16. Approval of Professional Services Agreement between the City of Fort Wayne and Emans Engineering for project management and professional engineering for sewer and water utility engineering capital projects and engineering studies.
Mark Gensic: The purpose is to assist the City staff in the development of a standard project manual to be used in the public bidding and construction of future CIP's, the review of the City's infiltration and inflow program for sanitary sewer capacity improvements, stormwater planning and design engineering, the development of capital planning and cost estimating, and project design and project management for the Water Filtration and Water Pollution Control Plant and Lift Stations.
Denise Porter-Ross moved approval. Motion carried. Copy to be place on file in vault.

17. Approval of Professional Services Agreement between the City of Fort Wayne and Fascik and Associates for program management for the Water Filtration Plant and Water Pollution Control Plant Capital Programs (specific for electrical expertise).
Mark Gensic: (inaudible). We are fortunate to have someone with Doug's electrical engineering expertise.
John Suarez moved approval. Motion carried. Copy to be placed on file in vault.

18. Approval of Professional Services Agreement between the City of Fort Wayne and Hometown Engineering for Program Management for Water Filtration Plant Capital Programs.
Mark Gensic: This is to provide management services for the Filtration Plant Capital Programs for the Planning and Design Services Department. This will involve the identification of capital projects and selection and management of design consultants for the water treatment plant improvement projects for the City of Fort Wayne including the cooperative interaction with other City departments as needed.
Denise Porter-Ross moved approval. Motion carried. Copy to be place on file in vault.

19. Approval of Professional Services Agreement between the City of Fort Wayne and Malcolm Pirnie for Master Utility Program Management.
Mark Gensic: (Parts inaudible). This is to provide management services for the Water and Wastewater System Programs. This will involve identification and design of selected water and wastewater improvement projects including the cooperative interaction with other City departments as needed.
Denise Porter-Ross moved approval. Motion carried. Copy to be place on file in vault.

20. Approval of Agreement for Professional Economic Development Services between the City of Fort Wayne and the Fort Wayne – Allen County Economic Development Alliance, Inc., in the amount of $75,000.00.
Mary Jane Slaton: City Utilities has a need for professional marketing services in the area of economic development activities in its services area which includes parts of the City of Fort Wayne and Allen County.
John Suarez moved approval. Motion carried. Copy to be placed on file in vault.

21. Approval of Secondary Development Plat for *Creekwood Section IV*.
Denise Porter-Ross moved approval. Motion carried. Plat to be sent to Planning Department.

22. Approval of Barrett Law Claims in the amount of $130,705.75 for the week of November 26, 2003.
John Suarez moved approval. Motion carried. Claims to be sent to Finance Department.

23. Approval of General Accounting Claims in the amount of $6,908,093.91 for the week of November 26, 2003.
Denise Porter-Ross moved approval. Motion carried. Claims to be sent to Finance Department.

24. Old Business.

    i. Approval of Professional Services Agreement between the City of Fort Wayne and Malcolm Pirnie, Inc., for preliminary design of the North Maumee Equalization Basin. The not-to-exceed amount for this contract is $98,000. Planning and Design Services recommends approval.
    Inaudible. Denise Porter-Ross moved approval. Motion carried. Copy to be placed on file in vault.

25. New Business.

i. Approval of Secondary Development Plat for *Villas of Northbrook Section I*.
John Suarez moved approval. Motion carried. Plat to be sent to Planning Department.

Meeting adjourned at 9:40 a.m.

Robert P. Kennedy, Chairman

John Suarez, Member

Denise Porter-Ross, Member

ATTEST: _____
Justin Brugger, Clerk

BOARD OF STORMWATER MANAGEMENT AGENDA
NOVEMBER 26, 2003

ROOM 250 – OMNI ROOM
ETING HELD AT 9:42 AM

GREG MESZAROS, CHAIRMAN
JOHN SUAREZ, MEMBER
DENISE PORTER-ROSS, MEMBER
JUSTIN BRUGGER, CLERK

Present: Greg Meszaros, Denise Porter-Ross, John Suarez, and Justin Brugger. Robert P. Kennedy – Associate Director of Public Works and Utilities. Chuck Bailey and Carl Wilson – Contract Compliance. Mark Gensic – Planning and Design Services. Nancy Townsend and Jack Suter – Development Services. Ken Nicolet – Public Works Administration. Ron Sheppard – Engineering Support Services.

1. Approval of Board of Stormwater Management Minutes of November 12, 2003.

   Denise Porter-Ross moved approval. Motion carried. Copy to be herein incorporated.

2. Approval of Board of Stormwater Management Minutes of November 19, 2003.

3. John Suarez moved approval. Motion carried. Copy to be herein incorporated.

4. Approval of Storm Sewer Contract #2003-ST-16 between the City of Fort Wayne and the Allen County Public Library to construct a local storm drainage system to serve the SPZP Revitalization Project – Hanna Creighton Campus.

   Jack Suter: This is a sewer to serve the Hanna Creighton Project.

   Denise Porter Ross moved approval. Motion carried. Sewers to be constructed.

5. Approval of Storm Sewer Contract #2003-ST-17 between the City of Fort Wayne and NED Corporation to construct a local storm drainage system to serve Stone Creek Commercial Out Lot Storm Sewers.

   Jack Suter: This project will serve Stone Creek Commercial and will consist of 12, 15, and 18 inch diameter sewers.

   John Suarez moved approval. Motion carried. Sewers to be constructed.

6. Old Business.

7. New Business.

Meeting adjourned at 9:46 a.m.

~~Robert P. Kennedy~~, Chairman
Gregory A. Meszaros

John Suarez, Member

Denise Porter-Ross, Member

ATTEST: _____
Justin Brugger, Clerk

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BOARD OF PUBLIC WORKS MINUTES
DECEMBER 3, 2003

BOARD OF PUBLIC WORKS
ROOM 250 – OMNI ROOM
MEETING HELD AT 9:00 A.M.

ROBERT P. KENNEDY, CHAIRMAN
JOHN SUAREZ, MEMBER
DENISE PORTER-ROSS, MEMBER
JUSTIN BRUGGER, CLERK

Present: Robert P. Kennedy, Denise Porter-Ross, John Suarez, and Justin Brugger. Greg Meszaros – Director of Public Works and Utilities. Ron Sheppard – Engineering Support Services. Mark Gensic and Matthew Wirtz – Planning and Design Services. Mary Jane Slaton – Development Services. Mario Trevino – Transportation Engineering Services. Chuck Bailey and Carl Wilson – Contract Compliance. Ken Nicolet – Public Works Administration.

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1. Approval of Board of Public Works Minutes of November 26, 2003.
   John Suarez moved approval. Motion carried. Copy to be herein incorporated.

2. Approval of Construction Contract #6973-03, *Calhoun Street Viaduct Handrail*, between the City of Fort Wayne and Gensic Creative Metals in the amount of $37,760.50.
   Denise Porter-Ross moved approval. Motion carried. Notice to Proceed to be sent.

3. Approval of Construction Contract #6969-03, *Tennessee Avenue: Spy Run Avenue to Griswold*, between the City of Fort Wayne and Hipskind Concrete in the amount of $78,585.00.
   John Suarez moved approval. Motion carried. Notice to Proceed to be sent.

4. Approval of Construction Contract #6970-03, *Miscellaneous Construction Package 5-C-03*, between the City of Fort Wayne and Hipskind Concrete in the amount of $1,780.00.
   Denise Porter-Ross moved approval. Motion carried. Notice to Proceed to be sent.

5. Approval of Change Order #1 – Final received from Key Concrete for Construction Contract #6967-03, *Public Sidewalk Curb Ramp Package 3 & 4 – 2003*, decreasing the original contract price of $114,635.00 by $3,341.32. Including this change order, the new contract price will be $111,293.68.
   Mario Trevino: The bulk of this change order can be attributed to less quantity for ramp construction and Curb Type IB construction. All of the other items were either marginally over or under the planned quantity.
   John Suarez moved approval. Motion carried. Contract price decreased.

6. Approval of recommendation from Transportation Engineering Services to accept the work performed by Primco, Inc., for Construction Contract #6924-03, *Fulton Street*, as an integral part of the City's transportation system. 90-382-6
   Denise Porter-Ross moved approval. Motion carried. Acceptance Letter to be sent.

7. Approval of recommendation from Transportation Engineering Services to accept the work performed by Key Concrete for Construction Contract #6967-03, *Public Sidewalk Curb Ramp Packages 3 & 4 – 2003*, as an integral part of the City's transportation system. 90-382-7
   Bob Kennedy moved to table. Motion carried. Item tabled.

8. Approval of recommendation from Transportation Engineering Services to accept the work performed by Newell Construction for Construction Contract #6972-03, *802 Elmer Avenue,* as an integral part of the City's transportation system. 90-382-8
   John Suarez moved approval. Motion carried. Acceptance Letter to be sent.

9. Approval of recommendation from Engineering Support Services to accept the work performed by Frontier Contractors for Sanitary Sewer Contract #2003-S-25, *Creekwood Section IV – Sanitary*, as an integral part of the City's sewer system. 90-383-9
Denise Porter-Ross moved approval. Motion carried. Acceptance Letter to be sent.

10. Approval of recommendation from Engineering Support Services to accept the work performed by Reinhart's Excavating for Construction Contract #2002-S-48, *Beinke Drive – Sanitary,* as an integral part of the City's sewer system. 90-383-10
John Suarez: Does compliance agree with this?
Ron Sheppard: This is actually a developer contract. This is between the Board and the Sewer and Water District to provide sewer service to Bienke. Actually, the Sewer District is providing the guarantee instead of the maintenance bond in the form of a check. Reinhart did put the sewer system in and it did test out okay. This is just so we can allow those homeowners to hook into it.
Denise Porter-Ross moved approval. Motion carried. Acceptance Letter to be sent.

11. Approval of recommendation from Engineering Support Services to accept the work performed by Tecton Corporation for Water Contract #2003-W-08, *Air Guard: Sefton Drive Phase II Water Main Replacement*, as an integral part of the City's water distribution system. 90-383-11
John Suarez moved approval. Motion carried. Acceptance Letter to be sent.
Denise Porter-Ross moved approval. Motion carried. Acceptance Letter to be sent.

12. Approval of recommendation from Engineering Support Services to accept the work performed by Kurtz Excavating for Water Contract #2003-W-13, *Sutters Cove Section I & Offsite Frontage*, as an integral part of the City's water distribution system. 90-383-12
Denise Porter-Ross moved approval. Motion carried. Acceptance Letter to be sent.

13. Approval of Professional Services Agreement between the City of Fort Wayne and HNTB Corporation for the design of the Standby Emergency Generator Facility. The fee for services provided shall be a lump sum of $98,000.00. Planning and Design Services recommends approval.
Mark Gensic: We have made a number of electrical improvements at our outlying pump stations, some of them in cooperation with American Electric Power. This is another continuing joint project with AEP. It will be for our master pumping.
Denise Porter-Ross moved approval. Motion carried. Copy to be placed on file in vault.

14. Approval of Professional Services Agreement between the City of Fort Wayne and HNTB Corporation for engineering services related to the North Pump Building Site Plan. The fee for services provided shall be a lump sum of $40,000.00. Planning and Design Services recommends approval.
Matthew Wirtz: This is for a site plan layout at the Filtration Plant. A Water Master Plan identified and evaluated a lot of different projects and planned improvements that we are looking to do. A lot of them are going to be on the west side of the plant, and that area is going to get a lot of improvements over the next ten years or so. We want to make sure we can lay those out. There is going to be buildings, electrical, water mains, and a lot of different things. We want to make sure they don't conflict. So we are going to do a Civil Engineering site layout of that area.
Bob Kennedy: What is the actual location?
Matthew Wirtz: On the west side of the plant, there is a drive that runs north to south from the lab to the soccer field. That area in there is where several of the improvements are going to go. There are going to be underground ducts, underground water mains, buildings, all the different things; and we want to make sure we have the room and don't have to relocate something for the next phase.
John Suarez moved approval. Motion carried. Copy to be placed on file in vault.

15. Approval of General Accounting Claims in the amount of $4,287,483.59 for the week of December 3, 2003.
Denise Porter-Ross moved approval. Motion carried. Claims to be sent to Finance Department.

16. Approval of write-off of City Utilities' delinquent accounts for the month of September 2003 in the amount of $37,382.54.
Denise Porter-Ross moved approval. Motion carried. Copy to be sent to Utility Finance Department.

17. Old Business.

18. New Business.

i. Approval of recommendation from Engineering Support Services to accept the work performed by Bercot, Inc., for Work Order #73267, *Auto Truck – Lower Huntington Road at Aboite Road. 90-383-18.*

Denise Porter-Ross stated this as a correction to last week's acceptance letter for this same project.
Ron Sheppard: This is very old project that was done when we built the sewer lines to GM. This had been a private sewer line for the past 15 or 17 years. Actually, we have some as-builts that are gong to allow us to accept it into the public system and allow some additional development off the end of that line. It has been out there for a very long time and we had some misinformation as to who the actual contractor was, and I think that is why we brought it back.
John Suarez moved approval. Motion carried. Acceptance Letter to be sent.

Meeting adjourned at 9:15 a.m.

Robert P. Kennedy, Chairman

John Suarez, Member

Denise Porter-Ross, Member

ATTEST: _____
Justin Brugger, Clerk

BOARD OF STORMWATER MANAGEMENT MINUTES
DECEMBER 3, 2003

ROOM 250 – OMNI ROOM
MEETING HELD AT 9:17 AM

GREG MESZAROS, CHAIRMAN
JOHN SUAREZ, MEMBER
DENISE PORTER-ROSS, MEMBER
JUSTIN BRUGGER, CLERK

Present: Greg Meszaros, Denise Porter-Ross, John Suarez, and Justin Brugger. Bob Kennedy – Associate Director of Public Works and Utilities. Ron Sheppard – Engineering Support Services. Mark Gensic and Matthew Wirtz – Planning and Design Services. Mary Jane Slaton – Development Services. Mario Trevino – Transportation Engineering Services. Chuck Bailey and Carl Wilson – Contract Compliance. Ken Nicolet – Public Works Administration.

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1. Approval of Board of Stormwater Management Minutes of November 26, 2003.

   Denise Porter-Ross moved approval. Motion carried. Copy to be herein incorporated.

2. Approval of Change Order #1 – Final received from Crosby Excavating for Construction Contract #1558-03, *IIT Schick Storm Sewer*, increasing the original contract price of $151,240.15 by $23,525.28. Including this change order, the new contract price will be $174,765.43.

   Ron Sheppard: These are the final quantity adjustments we had on this final project. During this project, we encountered several items that were not originally shown or we had them incorrectly field verified. There was a gas line where we didn't expect it to be. Also, some of the structures had a lot more cement than we originally encountered. In fact, the wall of the manhole we tapped on Wayne was almost a foot thick, and it took a lot of additional work to get that core into that manhole. We also discovered a lot of concrete bases along Washington that were eight feet wide and about eighteen inches deep. Obviously, we weren't expecting to encounter that much additional concrete; and we had some additional time and material to bust that out of the way and put in the storm line. The storm line is working fine. IIT is hooked up to it and it is allowing them to drain their property too. We encountered several things that we weren't expecting and we had some additional asphalt quantities just because of the angles we cut across the street. We went ahead and squared it off a little more, because it didn't make sense for us to leave little slivers of old asphalt when we were replacing some other sections anyhow. So we just squared it off to make it more even at the intersection of Wayne and Schick. The largest increase was the asphalt quantity.

   John Suarez: On the downtime, it says they had to wait six hours?

   Ron Sheppard: The six hours is an hour per crew person, and that's how they added it up; but it was only an hour. We did have some downtime because staff was not able to get out there quick enough. We try to avoid that and look ahead. However, they encountered something that they couldn't get around without us making a decision on. It was two hours of downtime for three trucks, adding up to six hours. We had some meetings where we were locked up and couldn't get out there right away, but we did go out as soon as we got out of our meeting to rectify the situation. Our inspector called us to let us now, but it happened that we were in a meeting at that time and couldn't just drop everything to run out there. As soon as the meeting was over, we went out there and my staff took care of it.

   Denise Porter-Ross moved approval. Motion carried. Contract price increased.

3. Old Business.

4. New Business.

Meeting adjourned at 9:21 a.m.

Greg Meszaros, Chairman

John Suarez, Member

Denise Porter-Ross, Member

ATTEST: _____
Justin Brugger, Clerk

CITY ENGINEERING DEPARTMENT

MEMORANDUM

DATE: December 5, 2003

TO: Justin Brugger, Board of Public Works

FROM: David Ross, City Engineer

SUBJECT: Schedule for Next Board Meeting

Request from FP Subsidiaries, Inc. for the **City Traffic Engineering Department** to **Study Traffic Calming Devices or Closure of Ludwig Park Drive to manage vehicular movement between residential land use and commercial land use**.

Proposed includes: **data collection, test trial of temporary traffic control devices and analysis of acceptability**.

Compensation for services performed shall be **direct cost of materials used for test trial (barricades, signs, barrels, ect.)**, funded through **FP Subsidiaries, Inc** .

City Engineering recommends approval.

cc: Chrono/File

Robert Kumed
Dennis Porter Ross

CITY OF FORT WAYNE

GRAHAM RICHARD, MAYOR

December 5, 2003

Kenneth W. Nord, P.E.
CEM, Inc.
116 West Rudisill Boulevard
Fort Wayne, IN 46807

RE: Klopfenstein's Home Rooms Furniture
6314 Lima Road

Dear ~~Mr. Nord:~~

City Engineering received your letter, dated December 2, 2003, requesting a Traffic Engineering Study of Ludwig Park Drive to determine if traffic calming or closure is warranted for the development of the above referenced project. In a letter to the Fort Wayne Planning Commission dated November 24, 2003, the Ludwig Park Community Association has already endorsed the closure of Ludwig Park Drive with a landscaped cul-de-sac at the west end of the closure to provide a turn around for residents to the east. I will work directly with the neighborhood association to see if other traffic management devices should be considered for a test trial period as part of the study. The test trial period expenses for the Study (barricades, signs, barrels, etc.) shall be responsibility of FP Subsidiaries, Inc.

I will present your request before the Board of Public Works for their consideration at their regularly scheduled December 10, 2003 meeting, starting at 9:00 a.m. in the Omni Room located on the second floor of the City-County Building.

City Engineering has no objection to FP Subsidiaries, Inc. proceeding with the processing of the 19,800 square foot addition to the existing store at this time. No access or commercial driveway approaches on Ludwig Park Drive shall be approved until the conditions of approval listed in the Primary Development Plan Staff Report have been completed. All costs associated with completing those conditions shall be the responsibility of FP Subsidiaries, Inc.

The Division of Public Works does not have a means to require future developers to reimburse FP Subsidiaries for these costs to upgrade Ludwig Park Drive to commercial standards. Cost sharing agreements between FP Subsidiaries, Inc. and others should be arranged privately before costs are incurred.

If you have any questions concerning this letter, call me.

Sincerely,

David G. Ross, P.E.
City Engineer
One East Main Street, Room 750
Fort Wayne, IN 46802
Phone: (260) 427-1309
Fax: (260) 427-1356

DGR/kak

cc: Robert Kennedy. Chairman, Board of Public Works
Mark Becker, Director, Division of Community & Economic Development
Pat Fahey, Planning Department
Chrono/File

CE&M, Inc.
Architects & Engineers
116 West Rudisill Blvd. • Fort Wayne, Indiana 46807
Phone: 260/744.2781 • Fax: 260/456.8579

December 2, 2003

Mr. David Ross, PE - City Engineer
Room 750, City-County Building
One Main Street
Fort Wayne, IN 46802

RE: Klopfenstein's Home Rooms Furniture
6314 Lima Road

Dear Mr. Ross:

On behalf of Loren Klopfenstein, we herewith request Traffic Engineering to conduct a study in accordance with the Neighborhood Street Calming Policy, Resolution No. 83-105-11, of traffic on Ludwig Park Drive.

Mr. Klopfenstein herewith agrees to cooperate with any measures required regarding traffic control on Ludwig Park Drive, and agrees to pay his fair share of the cost.

In order to receive approval for the construction of the proposed addition to his building, Mr. Klopfenstein agrees to improve a portion of Ludwig Park Drive as required by the Plan Commission Primary Approval. We request that half of the cost be refunded when the property to the north of Ludwig Park Drive is developed as a commercial property.

Sincerely,

Kenneth W. Nord, PE & RA
President, C E & M, Inc.

Loren Klopfenstein
FP Subsidiaries

KWN/kn

LUDWIG PARK COMMUNITY ASSOCIATION

November 24, 2003

TO THE FORT WAYNE PLANNING COMMISSION

Dear Madam Chairperson and Members of the Commission,

We have met with Engineering and Loren Klopfenstein regarding the proposed addition to his store at the Lima Road and Ludwig Park Drive intersection. Loren Klopfenstein presented a proposal to our Ludwig Park meeting to partially close Ludwig Park Drive with a half street barrier to limit traffic which he indicated would be approved by the Fort Wayne Engineering Dept.

After discussion with the board and attending property owners, we decided that the partial barrier would not be adaquate to limit the traffic on Ludwig Park Drive.

We then undertook a survey to determine the attitude of the residents living on the street.

Of 31 homeowners living on Ludwig Park Drive between Sharon Drive and Lima Road we found 3 against closing the street, 27 for closing the street with a landscaped cul-de-sac, and
one home owner suggesting speed bumps.

It is therefore clear that a large majority of home owners prefer that the street be closed with a landscaped cul-de-sac.

The property needed for the cul-de-sac will have to come from those properties at the Lima Road entrance to Ludwig Park Drive.

The best suggestion, was made by one of the homeowners in Ludwig Park, to vacate the street at the west end of Ludwig Park Drive providing space for a landscaped cul-de-sac to be installed and allowing the Klopfenstein and Martin property additional space to serve as their entrance.

If this is not possible, barring any other acceptable ideas, then Ludwig Park Community Association will have to resist efforts by Klopfenstein Home Room Furniture to develop that property as currently planned.

Harold H Hiner

Harold H Hiner

President
Ludwig Park Community Association

BOARD OF PUBLIC WORKS MINUTES
DECEMBER 10, 2003

BOARD OF PUBLIC WORKS
ROOM 250—OMNI ROOM
MEETING HELD AT 9:00 A.M.

ROBERT P. KENNEDY, CHAIRMAN
JOHN SUAREZ, MEMBER
DENISE PORTER-ROSS, MEMBER
JUSTIN BRUGGER, CLERK

Present: Bob Kennedy, Denise Porter-Ross, and Justin Brugger. Greg Meszaros - Director of Public Works & City Utilities. Chuck Bailey and Carl Wilson – Contract Compliance. Mario Trevino – Transportation Engineering Services. Mary Jane Slaton and Jack Suter – Development Services. Mark Gensic and Bill Maxwell – Planning and Design Services. Ron Sheppard – Engineering Support Services. Ken Nicolet – Public Works Administration. Dan Brenner – Property Manager. Not Present: John Suarez.

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1. Approval of Board of Public Works Minutes of December 3, 2003.
   Denise Porter-Ross moved approval. Motion carried. Copy to be herein incorporated.

2. Approval of Construction Contract #1584-03, *Evard Road Relief Sewer*, between the City of Fort Wayne and Land Construction in the amount of $271,415.00.
   Denise Porter-Ross moved approval. Motion carried. Contract to be sent to City Council.

3. Approval of Escrow Agreement between the City of Fort Wayne and Fleming Excavating for Construction Contract #1569-03, *Westlane Road Storm Drainage Improvement*, in the amount of $10,282.76.
   Item should be placed on Board of Stormwater Management Agenda. See Board of Stormwater Management Minutes for December 10, 2003, Item 3.

4. Approval of Construction Contract #1640-03, *General Cured-in-Place 2003 Sewer Rehabilitation #2*, between the City of Fort Wayne and Environmental Pipeliners in the amount of $502,655.00.
   Denise Porter-Ross moved approval. Motion carried. Contract to be sent to City Council.

5. Approval of Change Order #1 – Final received from Hipskind Concrete for Construction Contract #6919-03, *Pasadena Drive – Tacoma to Beaver Avenue*, decreasing the original contract price of $77,897.50 by $3,119.00. Including this change order, the new contract price will be $74,778.50.
   Mario Trevino: This final change order can be attributed to marginal decreases in several items. The drive approach quantity is the one item that has the largest decrease. It did not get used entirely, because the planned quantity was estimated for twelve feet wide drives, but some of the drives were actually only eight and ten feet wide.
   Denise Porter-Ross moved approval. Motion carried. Contract price decreased.

6. Approval of Change Order #2 – Final received from Primco, Inc., for Construction Contract #6924-03, *Fulton Street – Washington Boulevard to Wayne Street*, increasing the original contract price of $18,025.58 by $1,198.52. Including this change order, the new contract price will be $19,224.10.
   Mario Trevino: The bulk of this change order can be attributed to the trading off of the curbface walk, or a Curb Type III and a walk type setup.
   Denise Porter-Ross moved approval. Motion carried. Contract price increased.

7. Approval of Change Order #1 – Final, received from Hipskind Concrete for Construction Contract #6958-03, *Public Sidewalk Curb Ramp Package 1 – 2003*, increasing the original contract price of $165,977.52 by $1,683.02. Including this change order, the new contract price will be $165,977.52. In addition, the time provided from completion of this project will be increased by 23 calendar days to November 7, 2003.
Mario Trevino: This involves some additional curb and walk construction because there were some other locations added to the package and some areas had pooling water either in the adjacent walk or in the adjacent curb areas. We also added some additional curb construction behind the walk, because some of the lawns were simply too steeply sloped; and to avoid any eroding into the ramp, we constructed curb. Items 19 and 21, which include four new inlets with castings and a four-inch underdrain was added by Development Services to resolve a drainage problem at Nottingham and Sheldon. Item 20, the reconstruction of an inlet, was also a request made by Development Services to repair an inlet at the intersection of Lahmeyer and Charter crest.
Bob Kennedy: Mario, this project is complete?
Mario Trevino: Yes.
Denise Porter-Ross moved approval. Motion carried. Contract price increased.

8. Approval of Change Order #1 – Final received from Bunn, Inc., for Construction Contract #584-98, *Bob Arnold Northside Park Area Storm Sewers*, decreasing the original contract price of $1,157,931.25 by $19,486.60. Including this change order, the new contract price will be $1,138,444.65.
Ron Sheppard: This is pretty much up and downs for individual line items. We had to add an additional segment of sewer that was not included in the original plans on Stadium and that added about $25,000.00 to this project, but it did take care of a water problem that existed at Stadium and Parnell. We have cured that situation and it is one of the things the residents in that area were concerned about. The project is complete and we are ready to start the next phase.
Bob Kennedy: Even with the addition you still had a decrease?
Ron Sheppard: Yes; of (approximately) $19,000.00.
Denise Porter-Ross: The equipment and materials on the north side of the park are for the second phase.
Denise Porter-Ross moved approval. Motion carried. Contract price decreased.

9. Approval of Change Order #1 received from Shambaugh & Son for Construction Contract #1550-02, *Three Rivers Filtration Plant High Service Pumps 2 & 9*, increasing the original contract price of $451,600.00 by $44,650.00. Including this change order, the new contract price will be $496,250.00.
Ron Sheppard: We had to add some additional valving. When we got into it, our existing valves did not work correctly and we had to add some additional valves to make this project work.
Denise Porter-Ross moved approval. Motion carried. Contract price increased.

10. Approval of Change Order #1 received from Primco, Inc., for Construction Contract #1579-03, *St. Joe Dam Repairs Phase I – 2003*, extending the date for final completion to March 3, 2004.
Bill Maxwell: This request is made right at the onset of the contract. There was a delay in getting some of the contract documents to the contractor. In recognition of that, we are requesting this delay. The period of time of the contract remains the same.
Denise Porter-Ross moved approval. Motion carried. Contract time extended.

11. Approval of Change Order #1 received from Martin Service Systems for Construction Contract #1607-03, *Finished Capacity Water Development*, increasing the original contract price of $14,177.00 by $1,334.00. Including this change order, the new contract price will be $15,511.00.
Ron Sheppard: During the process of ripping out all the old trailer court pads, the City purchased the building just to the south of the old trailer court. It was demolished with Neighborhood Code's help. One of the things that was not included was to remove all of that large concrete slab. So, we added it onto this contract since Martin was in the area. We thought it worked best to just go ahead and get it out of there. That is the addition to this contract.
Bob Kennedy: This is the area where the trailer court was purchased by the Filtration Plant?
Ron Sheppard: Yes. The trailer court and the next lot of the south of that; as you drive by it today, it is obvious that we have ripped everything out of there. It is all green and the grass is growing. It looks pretty good.
Bob Kennedy: I have had a lot of positive comments on the improvement there.
Denise Porter-Ross moved approval. Motion carried. Contract price increased.

12. Approval of recommendation from Transportation Engineering Services to accept the work performed by Hipskind Concrete for Construction Contract #6919-03, *Pasadena Drive – Beaver Avenue to Tacoma Avenue,* as an integral part of the City's transportation system.
Denise Porter-Ross moved approval. Motion carried. Acceptance Letter to be sent.

13. Approval of recommendation from Transportation Engineering Services to accept the work performed by Bunn, Inc., for Construction Contract #6915-03, *Resurfacing Package 3 – 2003*, as an integral part of the City's transportation system.
Denise Porter-Ross moved approval. Motion carried. Acceptance Letter to be sent.

14. Approval of recommendation from Engineering Support Services to accept the work performed by Underground Contractors for Water Contract #2003-W-25, *Kensington Downs East – Section IV*, as an integral part of the City's water distribution system.
Denise Porter-Ross moved approval. Motion carried. Acceptance Letter to be sent.

15. Approval of recommendation from Engineering Support Services to accept the work performed by All Star Construction for Construction Contract #1100-02, *Charlotte Avenue Water Main*, as an integral part of the City's water distribution system.
Denise Porter-Ross moved approval. Motion carried. Acceptance Letter to be sent.

16. Approval of recommendation from Engineering Support Services to accept the work performed by Bunn, Inc., for Construction Contract #584-98, *Bob Arnold Northside Park Area Storm Sewer*, as an integral part of the City's sewer system.
Denise Porter-Ross moved approval. Motion carried. Acceptance Letter to be sent.

17. Approval of Release of Escrow received from Bunn, Inc., for Construction Contract #584-98, *Bob Arnold Northside Park Area Storm Sewer*, in the amount of $113,844.47.
Denise Porter-Ross moved approval. Motion carried. Release of Escrow to be sent to Escrow Agent.

18. Approval of request from the Property Management Department to enter into an agreement with Light & Breuning, Inc., to manage a city-owned parking lot in the 200 block of East Superior Street.
Dan Brenner: The current management agreement with Light & Breuning expires December 31, 2003. We asked for a RFP from three vendors. Light & Breuning submitted the most advantageous proposal. Therefore, we are asking the Board to award the management agreement to Light & Breuning.
Bob Kennedy: They are the current provider of these services.
Dan Brenner: Yes.
Denise Porter-Ross: ...and they are working with us with the tenants in the area.
Denise Porter-Ross moved approval. Motion carried. Copy to be placed on file in vault.

19. Approval of request from FP Subsidiaries, Inc., for the City Traffic Engineering Department to study traffic calming devices or closure of Ludwig Park Drive to manage vehicular movement between residential land use and commercial land use. Proposed services include data collection, test trial of temporary traffic control devices, and analysis of acceptability. Compensation for services performed shall be the direct cost of materials used for the test trial, to be funded through FP Subsidiaries, Inc. City Engineering recommends approval.
David Ross: This is actually a issue that came before the Plan Commission. Klopfenstein Furniture had presented an application to put an addition on their existing building to allow for a Bassett Furniture Outlet. As part of the requirement for that outlet store, Bassett wanted a separate loading dock that was proposed to have access off of a local street, which is Ludwig Park Drive. The Plan Commission held a public hearing and the neighborhood, Ludwig Park Community Association, strongly objected to having truck or commercial access off of a local street that is a chip-and-seal street that goes into their neighborhood. They feared that there would be a conflict between the commercial trucks; and that there would be cut-through traffic going through their neighborhood that they already perceive as having a large amount of traffic. One of the conditions of approval on reviewing this application is that the Board of Works already has a policy in place for neighborhood traffic calming, where Traffic Engineering evaluates the conditions, can test various traffic calming devices, and they make a recommendation to the Board that has jurisdiction over the street system for the City. The neighborhood did say in the public hearing that if this commercial access was allowed by the Plan Commission or by the City, that they would then support closure of Ludwig Park Drive at the west end of the residential land use, so that there would only be a short stub for the commercial use, but the residential section of that roadway would be closed, and it would have a turnaround to allow the traffic

to use the section, turn around, and go back into the neighborhood. The item before the Board is to make them aware that we are recommending that Traffic Engineering proceed with the traffic studies, work with the neighborhood, and come up with a means to address both the application for commercial expansion, which the City strongly supports, and still comply with the wishes of the neighborhood to mitigate the traffic management through their neighborhood.
Denise Porter-Ross: I did talk with the Northwest Neighborhood Specialist for this area, and she said that the association was in favor of the way this is being worked.
Denise Porter-Ross moved approval. Motion carried. Copy to be herein incorporated.

20. Approval of Professional Services Agreement between the City of Fort Wayne and Rita Ann Gabriel and Associates, Inc., for the appraisal of 22 parcels on Saint Joe Center Road between Saint Joe Road and Reed Road. Compensation for services performed shall be $21,398.00; $17,118.40 from Federal Aid and $4,279.60 from CEDIT.
David Ross: This is the ongoing Federal Aid Project to reconstruct St. Joe Center Road. We have finished the right-of-way engineering phase, and we are into the appraisals. Actually, both items 20 and 21 kind of go together. Rita Ann Gabriel will be provided the appraisal review services. The actual appraisals will be done by Griffin Real Estate Services, which is Item 21. Griffin will perform the appraisals and then hand them off to Rita to do the reviews to make sure there are no obvious problems with it. Both of these agreements have been reviewed by the Indiana Department of Transportation. Their compensation is found to be acceptable. Therefore, we have prepared the final documents for the Board to consider.
See Item 21.

21. Approval of Professional Services Agreement between the City of Fort Wayne and Griffin Real Estate Services, Inc., for the appraisal of 55 parcels on Saint Joe Center Road between Saint Joe Road and Reed Road. Compensation for services performed shall be $59,075.00; $47,260.00 from Federal Aid and $11,815.00 from CEDIT.
Denise Porter-Ross moved approval of Items 20 and 21. Motion carried. Copies to be placed on file in vault.

22. Approval of Professional Services Agreement between the City of Fort Wayne and Roy Buskirk Real Estate for purchasing services of 21 parcels on Ardmore Avenue between Lower Huntington Road and Indianapolis Road. Compensation for services performed shall be $18,200.00; $14,560.00 from Federal Aid and $3,640.00 from CEDIT.
David Ross: We have finished the appraisal work. Now, we are looking for the services of Roy Buskirk to actually make the offers to purchase. We have Roy's services before on other Federal Aid Projects. He has done a very good job. His contract has been reviewed by the Indiana Department of Transportation and compensation amounts have been in line with the approved rates. Therefore, we do recommend approval.
Denise Porter-Ross moved approval. Motion carried. Copy to be placed on file in vault.

23. Approval of agreement between the City of Fort Wayne and American Electric Power (AEP) granting a 20 feet wide easement to AEP along the south side of Oxford Street to provide a location for a backup power feed for the Camp Scott Pump Station. This grant of easement has been reviewed by the City Engineering Department and the Parks Department.
Mary Jane Slaton: Typically, I am out asking other entities to grant us easements for things that we want to do. But this morning, I am here to ask you to grant an easement to AEP to run an alternate power feed for our Camp Scott lift station. We want our lift station to be able to have backup power and what AEP is going to do is run a feed along Oxford Street from their distribution main to our pump station, but we need to grant them an easement to do that. The easement that they are requesting is 20 feet wide. It is basically from the edge of the right-of-way, twenty feet back into McMillan Park. We already have utility facilities there. This property is owned by the Board of Public Works, although it is used as a park. That is why I am before you this morning asking you to grant this easement.
Bob Kennedy: You communicated this to the Parks Department?
Mary Jane Slaton: Yes. I sent them a copy of the proposed easement with a drawing, and they did not have a problem with it.
Denise Porter-Ross moved approval. Motion carried. Copy to be placed on file in vault.

24. Approval of Professional Services Agreement between the City of Fort Wayne and Donohue and Associates for the design and construction of the Standby Emergency Generator at the Third Street Lift Station in the amount of $60,000.00. Planning and Design Services recommends approval.
Mark Gensic: Speaking of AEP, they are the ones that give us our electrical power for all of our pump stations. In the case of this Camp Scott one you just approved, they are giving us two feed lines. We are counting on the fact that AEP power is always on. It is not as big of a problem in a storm sewer system that is not directly connected into houses. But in a combined sewer system, like the Third Street Pump Station, that is a bit of a bigger problem. So, we are going to another level of backup power; and in this case we are going to build a backup generator at the Third Street location. Our ultimate goal is to keep the power on at all times in case AEP has a power problem.
Denise Porter-Ross moved approval. Motion carried. Copy to be placed on file in vault.

25. Approval of Professional Services Agreement between the City of Fort Wayne and Barrett & McNagny, LLP, for legal services associated with the acquisition of an easement property owned by Schenkel's All-Star Dairy that is necessary for construction of the Neuhaus Interceptor Phase II. The cost of this contract is estimated to not exceed $29,100.00. Development Services recommends approval.
Mary Jane Slaton: Sometimes we have great cooperation between public and private entities, and sometimes we don't. Unfortunately, in this particular situation, we have been involved in a condemnation proceeding against Schenkel's to acquire an easement across their Bass Road property that we need for our Neuhaus Interceptor. Our Attorney, Kristine Degabriele, and I have been working with this along with Paul Powers and several other people on our staff. As we got farther and farther into our negotiations with Schenkels', it got more complex and we realized we needed some outside expertise. Kristine and I have not done very many condemnations. It is not something that we have had a lot of experience with, so we are not entirely comfortable and we thought that we should seek some help. Transportation Engineering Services has used Barrett McNagny on a regular basis for condemnations. They suggested that Tom Neizer and his associates would probably do a good job in this situation. So, we are asking you to allow us to enter into a contract for some assistance with our Schenkel's condemnation issue?
Denise Porter-Ross: We are still in a continuance on this piece, aren't we?
Mary Jane Slaton: Correct. We have a remonstrance hearing set for next week before you and we are continuing to negotiate with them. There are offers on the table. We are still hopeful that perhaps we can work this out in the next week and we won't be here for a hearing. But, in the event that we are not, we are prepared to have the hearing next week. Adequate notice has been given, and we are ready to do that.
Denise Porter-Ross moved approval. Motion carried. Copy to be placed on file in vault.

26. Approval of Assessment Roll for Resolution #6938-03*, Miscellaneous Construction Package 2-A-03.*
Denise Porter-Ross moved approval. Motion carried. Assessment Roll to be sent to Finance Department.

27. Approval of Barrett Law Claims in the amount of $208,422.53 for the week of December 10, 2003.
Denise Porter-Ross moved approval. Motion carried. Claims to be sent to Finance Department.

28. Approval of General Accounting Claims in the amount of $5,828,449.32 for the week December 10, 2003.
Denise Porter-Ross moved approval. Motion carried. Claims to be sent to Finance Department.

29. Old Business.

30. New Business.

Meeting adjourned at 9:38 a.m.

Robert P. Kennedy, Chairman

not present jmb
John Suarez, Member

Denise Porter-Ross, Member

ATTEST: _____
Justin Brugger, Clerk

BOARD OF STORMWATER MANAGEMENT MINUTES
DECEMBER 10, 2003

ROOM 250 – OMNI ROOM
MEETING HELD AT 9:39 AM

GREG MESZAROS, CHAIRMAN
JOHN SUAREZ, MEMBER
DENISE PORTER-ROSS, MEMBER
JUSTIN BRUGGER, CLERK

Present: Greg Meszaros, Denise Porter-Ross, and Justin Brugger. Bob Kennedy – Associate Director of Public Works & City Utilities. Chuck Bailey and Carl Wilson – Contract Compliance. Mario Trevino – Transportation Engineering Services. Mary Jane Slaton and Jack Suter – Development Services. Mark Gensic and Bill Maxwell – Planning and Design Services. Ron Sheppard – Engineering Support Services. Dan Brenner – Property Manager. Not Present: John Suarez.

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1. Approval of Board of Stormwater Management Minutes of December 3, 2003.
   Denise Porter-Ross moved approval. Motion carried. Copy to be herein incorporated.

2. Approval of Sewer Contract #2003-ST-18, *Three Rivers Federal Credit Union Storm Sewer*, between the City of Fort Wayne and MER Group, LLC, to construct a local storm drainage system to serve the Three Rivers Federal Credit Union Off-Site Storm Sewer.
   Jack Suter: The Three Rivers Credit Union is proposing to build a branch facility at the corner of Bluffton Road and Winchester Road. In order to do that, it is necessary that they construct a 374-foot storm sewer line to provide adequate drainage for that facility. Once that line is constructed and accepted, it will be a part of our system.

3. Approval of Escrow Agreement between the City of Fort Wayne and Fleming Excavating for Construction Contract #1569-03, *Westlane Road Storm Drainage Improvement*, in the amount of $10,282.76.
   Denise Porter-Ross moved approval. Motion carried. Copy to be sent to Escrow Agent.

4. Old Business.

5. New Business.

Meeting adjourned at 9:43 a.m.

Greg Meszaros, Chairman

John Suarez, Member

Denise Porter-Ross, Member

ATTEST: _____
Justin Brugger, Clerk

JOINT MEETING BETWEEN THE BOARD OF PUBLIC WORKS AND THE BOARD OF STORMWATER MANAGEMENT
MINUTES
DECEMBER 10, 2003

ROOM 250 – OMNI ROOM
MEETING HELD AT 9:44 AM

GREG MESZAROS, CHAIRMAN – BOARD OF STORMWATER MANAGEMENT
ROBERT P. KENNEDY, CHAIRMAN – BOARD OF PUBLIC WORKS
JOHN SUAREZ, MEMBER
DENISE PORTER-ROSS, MEMBER
JUSTIN BRUGGER, CLERK

Present: Greg Meszaros, Bob Kennedy, Denise Porter-Ross, and Justin Brugger. Mary Jane Slaton and Jack Suter – Development Services. Mark Gensic and Bill Maxwell – Planning and Design Services. Ron Sheppard – Engineering Support Services. Not Present: John Suarez.

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1. Approval of City Utilities' 2004 Annual Budget.

Greg Meszaros: In terms of the total expenditures for the Sanitary, Water, and Stormwater Utilities, things are essentially flat for 2004 compared to 2003; actually, slightly down three-tenth of a percent lower spending for 2004. ...right around $58 million.

As you look at the three utilities separately, the O&M costs are rising slightly, predominantly due to health care and labor costs with our unions and their standard wage escalations. We still have a fairly healthy revenue capital plan in water; about $6.5 million emphasizing water main replacement projects and important investments at our filtration plant for high-service pumping and some other related improvements.

On the sanitary sewer side, our operating budgets are about nine percent higher due, in part, to health care and labor costs. But more so, the new costs are really associated with combined sewer related issues. We are working continuously to implement our combined sewer operational plan and our long-term control plan. That is driving additional costs and additional modeling costs. The EPA has asked us to do some operational plan work. We are now launching on daily inspections on all of our CSO's, so there is considerable activity in our CSO area in 2004, and that is reflected in the higher cost.

On the capital side in the sanitary sewer utility, approximately $8.6 million in revenue capital emphasizing sewer rehab work, continuing with other programs at our plant. Also, with our bond funding, we will continue with our basement backup program, continuing with Camp Scott work, and some of those related basement backup activities.

On the stormwater side, things are essentially flat. A slight, 2.3 percent increase in the operating budgets, predominantly because of healthcare and labor increases again. Stormwater does share a portion of combined sewer costs, so as those go up, it also impacts the stormwater utility, and that is part of the cost driver.

On the capital side, we are still going to be a little over two million in revenue capital. Again, emphasizing neighborhood drainage relief projects and things to help with ponding water and nuisance drainage relate activities.

We also account for several smaller operations, our Electrical Utility – or light-lease fund. This is just the lease payments from AEP.

The Utility also operates a yard fund. We receive yard waste at our Biosolids Processing Facility and account for that in our Utility. That cost is also down slightly, about two percent.

Denise Porter-Ross: When we did go over the budgets, we did look at increased money put into restoration, because restoration was costing us more for a lot of our projects. A lot of our neighborhood projects have do to with restoration.

Greg Meszaros: Yes. Restoration refers to the work to restore the roadway or parkstrip after, predominantly, water repair work. We have a goal of a 30-day turnaround for permanent restoration and are committed to continuing to meet that goal. We will need a little more money, because we are doing more restoration work, so we increased that appropriately.

Mark Gensic: How much is the City Light Lease and how long will it go on? We spend a lot of Utility money on electrical projects and there is this old city-owned electrical utility that is now a light-lease fund. I understand that some of that money is being spent on community projects, and I am not concerned about that as much as I am that we all recognize that we are spending a lot of Utility money on a lot of electrical project, and that will continue to go on.
Greg Meszaros: Al Moll would have to answer the specific questions. It goes into a Community Trust Fund that City Council and others approve the uses for. AEP continues to pay that until 2010.

Denise Porter-Ross moved approval. Motion carried. Budget approved.

Meeting adjourned at 9:55 a.m.

Greg Meszaros, Chairman

Bob Kennedy, Chairman

not present pmb
John Suarez, Member

Denise Porter-Ross, Member

ATTEST: _____
Justin Brugger, Clerk

RELEASE OF GENERAL UTILITY EASEMENTS

THIS INDENTURE WITNESSETH, That Hildegard Brandenburg and Daniel P. Nieter, Trustee of the Gertrude S. Stewart Testamentary Trust ("Grantors") and the City of Fort Wayne, Indiana ("Grantee") hereby release the following General Utility Easements and make the following declaration:

1) On March 27, 2001, Grantors executed a Declaration and Grant of General Utility Easement to Grantee which General Utility Easement was duly recorded as Document No. 201018713 in the Office of the Recorder of Allen County, Indiana on the 28th day of March, 2001 ("General Utility Easement No. 1").

2) On July 3, 2003, Grantors executed a Declaration and Grant of General Utility Easement to Grantee which General Utility Easement was duly recorded as Document No. 203066945 in the Office of the Recorder of Allen County, Indiana on the 3rd day of July, 2003 ("General Utility Easement No. 2").

3) That in both General Utility Easement No.1 and General Utility Easement No. 2, Grantors reserve the right to relocate the easement and Grantee agreed to release the easements granted subject to Grantors conveying to Grantee a new easement.

4) That on the 10 day of December, 2003, Grantors executed a Declaration and Grant of General Utility Easement to Grantee which General Utility Easement was duly recorded as Document No. 203125280 in the Office of the Recorder of Allen County, Indiana on the 12th day of December, 2003 ("General Utility Easement No. 3").

Continued

5) That in consideration of the conveyance of General Utility Easement No. 3, Grantors and Grantee hereby release General Utility Easement No. 1 and General Utility Easement No. 2 which are referenced in paragraphs 1 and 2 herein.

Dated this 31st day of December, 2003.

GRANTORS:

Hildegard Brandenburg

Hildegard Brandenburg
Deed Reference No. 94-069529

Trustee

Daniel P. Nieter, Trustee of the
Gertrude S. Stewart Testamentary
Trust, Deed Reference No.
970041082 and 202009388

GRANTEE:

THE CITY OF FORT WAYNE, INDIANA
Board of Public Works

By: Robert Kennedy

By: Denise Porter Ross

By: John Shoaff

Attest:

By: Justin Brugger

STATE OF INDIANA, COUNTY OF ALLEN, SS:

Before me, a Notary Public in and for said County and State, personally appeared Hildegard Brandenburg, who acknowledged the execution of the foregoing Release of General Utility Easements, and who, having been duly sworn under the penalties of perjury, stated that the facts and matters therein set forth are true and correct.

Witness my hand and Notarial Seal this 10 day of Dec., 2003.

Signature

Andrew M. Coreglein

Printed Name

Notary Public

Resident of Allen County, IN

My Commission Expires:
June 9, 2008

Continued

STATE OF INDIANA, COUNTY OF ALLEN, SS:

Before me, a Notary Public in and for said County and State, personally appeared Daniel P. Nieter, Trustee of the Gertrude S. Stewart Testamentary Trust, who acknowledged the execution of the foregoing Release of General Utility Easements, and who, having been duly sworn under the penalties of perjury, stated that the facts and matters therein set forth are true and correct.

Witness my hand and Notarial Seal this 10 day of Dec., 2003.

Andrew M. Goeglein
Signature

Andrew M. Goeglein
Printed Name

Notary Public

My Commission Expires:
June 9, 2008

Resident of Allen County, IN

STATE OF INDIANA, COUNTY OF ALLEN, SS:

Before me, a Notary Public in and for said County and State, personally appeared _____ for the City of Fort Wayne, Indiana, who acknowledged the execution of the foregoing Release of General Utility Easements, and who, having been duly sworn under the penalties of perjury, stated that the facts and matters therein set forth are true and correct.

Witness my hand and Notarial Seal this 31ST day of December, 2003.

Michelle R. Hadley
Signature

Michelle R. Hadley
Printed Name

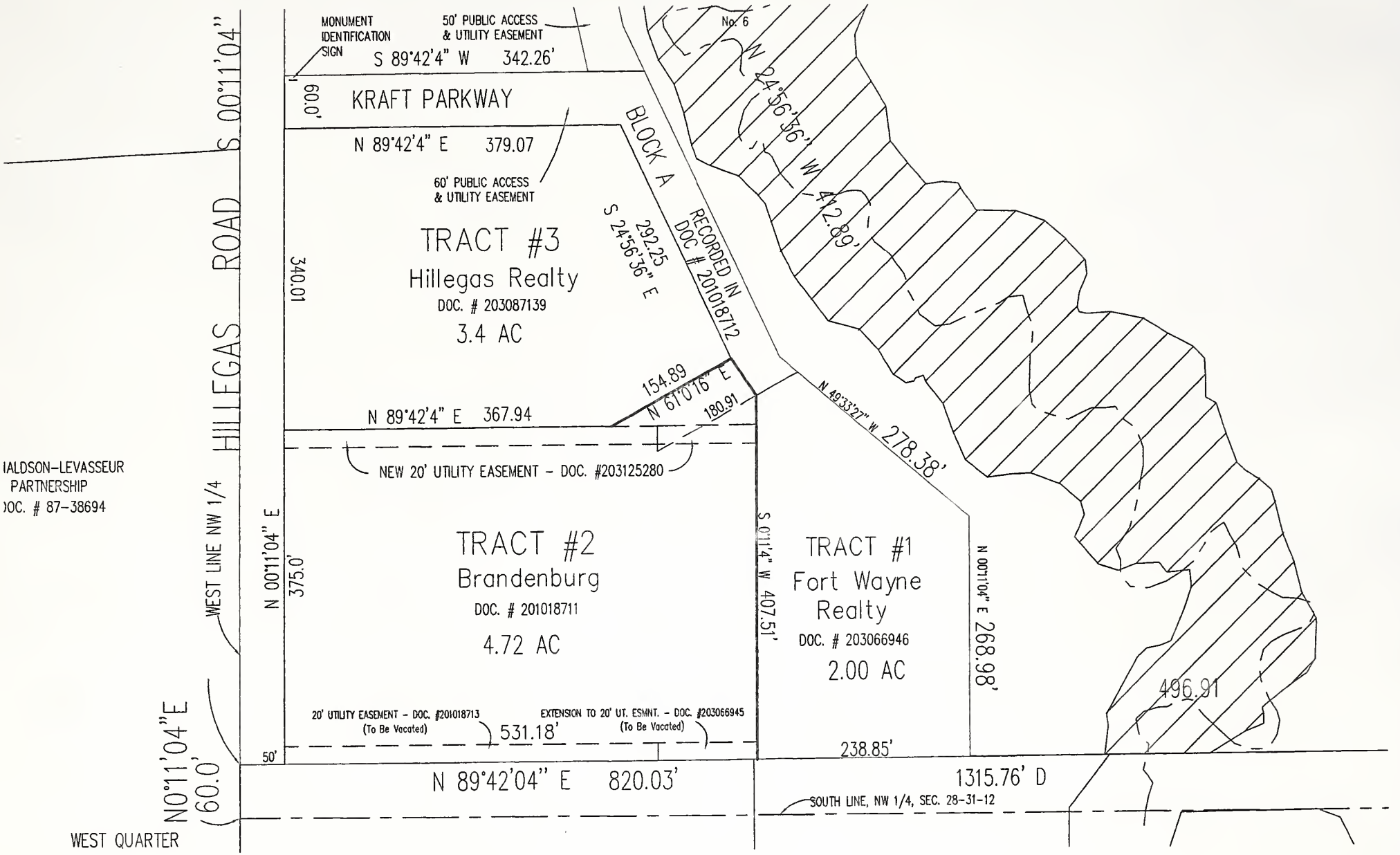
Notary Public

MICHELLE RENEE HADLEY
Notary Public, State of Indiana
County of Allen
My Commission Expires 11/26/2006

My Commission Expires:

Resident of Allen County, IN

Prepared by Andrew M. Goeglein, Attorney No. 8199-02, 202 W. Berry St., Suite 420, Fort Wayne, Indiana 46802


HILLEGAS ROAD
S 00°11'04"
MONUMENT IDENTIFICATION SIGN
50' PUBLIC ACCESS & UTILITY EASEMENT
S 89°42'4" W 342.26'
60.0'
KRAFT PARKWAY
N 89°42'4" E 379.07
60' PUBLIC ACCESS & UTILITY EASEMENT
340.01'
TRACT #3
Hillegas Realty
DOC. # 203087139
3.4 AC
BLOCK A
RECORDED IN DOC # 201018712
S 24°56'36" E 292.25
No. 6
N 24°56'36" W 412.89'
154.89
N 61°01'6" E
180.91
N 89°42'4" E 367.94
N 49°33'27" W 278.38'
NEW 20' UTILITY EASEMENT - DOC. #203125280
IALDSON-LEVASSEUR
PARTNERSHIP
)OC. # 87-38694
WEST LINE NW 1/4
N 00°11'04" E
375.0'
TRACT #2
Brandenburg
DOC. # 201018711
4.72 AC
S 011'4" W 407.51'
TRACT #1
Fort Wayne
Realty
DOC. # 203066946
2.00 AC
N 00°11'04" E 268.98'
496.91
20' UTILITY EASEMENT - DOC. #201018713
(To Be Vacated)
531.18'
EXTENSION TO 20' UT. ESMNT. - DOC. #203066945
(To Be Vacated)
238.85'
50'
N0°11'04"E
(60.0')
N 89°42'04" E 820.03'
1315.76' D
SOUTH LINE, NW 1/4, SEC. 28-31-12
WEST QUARTER

From: **"Mary Jane Slaton" <FW/MJSLFA>**
To: **"Dave Ross" <FW/DGROFA>**
Date sent: **Thu, 18 Dec 2003 07:37:58 -0500**
Subject: **Re: Hillegas Industrial Park - Utility Easement Relocation**

Dave,

I have looked at utility maps. There are no utilities located within the easement proposed to be vacated and relocated. So long as Sam and his clients understand that water and sewer utilities will need to be extended to serve Tract 1 via some other route, I have no objection to the relocation of the easement.

On 9 Dec 03, at 8:17, Dave Ross wrote:

>
>
> Got the info and will forward to M. J. Slaton. I'll call you if there are
> any questions.
>
>
> On 8 Dec 03, at 10:55, Schenkel, Sam @ Ft Wayne wrote:
>
> > Dave: I wanted to send you an e.mail prior to me forwarding you the
> > information on the easements, so you would at least have some background.
> > I did not have Mary Jane Slayton's e.mail address in my book, so please
> > forward this on to her.
> >
> > As discussed last Friday, my issue relates to the Hillegas Industrial Park,
> > located on the east side of Hillegas Road, just north of Independence Drive.
> > (see attached plan) We are in the process of selling Tract #2 to Peg
> > Perego, in anticipation of them developing a new 200,000 s.f. facility.
> > When we developed and sold Tract #1, which lies behind Tract #2, we
> > dedicated a 20' utility easement along the south line of Tract #2, in order
> > to enable the public utilities to be extended from Hillegas Road to serve
> > Tract #1.
> >
> > Now that Peg Perego is purchasing Tract #2 and constructing such a large
> > facility, they have requested we relocate the existing 20' utility easement
> > from the south side of Tract #2 to the north side of same. (see second
> > attached plan) All parties, including the developer, Perego, and owner of
> > Tract #1 are in agreement for this relocation, and the new/relocated

> > easement documentation is being executed. The existing utility easemement
> > which will be vacated will require the City to "sign-off" on, and that's
> > where I need you or Mary Jane's assistance. I will be sending the
> > paperwork to you later this week, which will include copy of the new
> > easement along with the existing easement vacation document, which will
> > require someone from the City to sign. I would ask that you review and
> > execute on behalf of the City, and return to me for recording.
> >
> > Perego has asked that we move as quickly as possible on this, so I am
> > hopeful you would be able to process from your end in a week or less,
> > following your receipt of the paperwork from me. Should you have any
> > specific questions beforehand, please give me a call or e.mail. We really
> > appreciate your consideration and assistance in this matter, and helping
> > Perego achieve their goal.
> > <<Tract 2 Easement Plan 120503 Model (1).pdf>> <<Tract 2 Easement Plan
> > 120503 Model (2).pdf>>
> > Thank you,
> >
> > Sam
> > Samual A. Schenkel, CPM, CCIM
> > Director
> > Commercial Development Services
> > CB Richard Ellis/Sturges
> >
>
>
> David Ross,PE
> City Engineer
> 427-1309
> Engineering:Turning Ideas Into Reality

CB Richard Ellis
Sturges
202 W. Berry Street
Suite 800
Fort Wayne, IN 46802-2248
T 260 424 8448
F 260 422 4639
www.cbre.com/fortwayne

December 17, 2003

VIA HAND DELIVERY

Mr. David G. Ross, P.E.
City Engineer
City of Fort Wayne
One Main Street, Room 750
Fort Wayne, IN 46802-1804

Re: Hillegas Industrial Park
Utility Easement Release Request

Dear Dave:

Pursuant to our telephone conversation and my e.mail to you two weeks ago, we are sending you the utility easement(s) release for the 20' utility easement which is located along the south edge of Tract 2 of Hillegas Industrial Park in Fort Wayne.

As discussed, this easement has not been utilized, and with the planned development of the Peg Perego building on Tract 2, will need to be released and vacated in order to facilitate this new building. To compensate for the release of this easement, we have recorded a new 20' utility easement on the north edge of Tract 2. (see attached site plan)

We are enclosing the Easement Release document, which will require the signature of either yourself or Mary Jane Slayton, and the documents returned to me for recording. As additional information, we are enclosing a site plan, existing easement copies, and a copy of the new easement. Time is of the essence, in order to facilitate the upcoming sale of Tract 2 to Perego, wherein they have requested the easement issue be complete prior to the sale. I will follow up with you later this week to verify your receipt and anticipated timetable for signing. We sincerely appreciate your assistance and consideration in this matter.

Respectfully submitted,

Samual A. Schenkel, CPM, CCIM
Vice President

SAS/sas
Enclosures

Cc: Andy Goeglein

THREE RIVERS TITLE
COMPANY, INC.
JRC0300773

GENERAL UTILITY
EASEMENT #2
(TO BE VACATED)

Doc. No. 203066945
Receipt No. 25835
DCFD 3.00
DEED 2.00
DEED 10.00
Total 15.00

COPY

DECLARATION AND GRANT OF GENERAL UTILITY EASEMENT

80-0028-8008

THIS INDENTURE WITNESSETH, That Hildegard Brandenburg and Daniel P. Nieter, Trustee of the Gertrude S. Stewart Testamentary Trust ("Declarant"), hereby make the following declaration:

1. *Subject Matter of Declaration.* Declarant is the owner of the fee simple title to the real estate in certain property located in Allen County, Indiana, described in the attached Exhibit A, which is incorporated herein by reference (the "Easement Property") as recorded as Document Numbers 94-69529 and 97-41062.

2. *Grant of General Utility Easement.* Declarant hereby grants and conveys to The City of Fort Wayne, Indiana, ("Grantee"), and to the public, a perpetual, non-exclusive easement for the underground installation, use, operation and maintenance of water, sanitary sewer, storm and surface water drainage, electricity, gas and telephone mains, pipes, lines, wires, ducts and drains ("Facilities") in, across and under the Easement Property.

3. *Installation and Maintenance of Facilities.* Any installation, maintenance, repair and/or replacement of Facilities within the Easement Property shall be performed as expeditiously as possible in accordance with good construction practice (including, without limitation, taking all measures to prohibit injury to person or damage to property) and so as to minimize interference with the use of Declarant's property, including the flow of pedestrian and vehicular traffic. Subsequent to any entry on the Easement Property by a Grantee for the exercise of its rights hereunder, Grantee shall restore the Easement Property to at least as good a condition and appearance as existed prior to such entry.

4. *Relocation of Facilities.* Declarant reserves the right from time to time and in its sole discretion to relocate, at its expense, such Facilities as may be located within the Easement Property within other property owned by Declarant. If such Facilities are relocated, Declarant will grant to Grantee a new easement, and Grantee shall release the easement granted hereby. In the event at any time Grantee abandons the Easement Property and no portion thereof is being used by Grantee for the purposes hereby specified, then this easement shall terminate.

5. *Indemnification.* Grantee by undertaking to enjoy the rights granted by this Declaration shall be deemed to have agreed to defend, hold harmless and indemnify Declarant from and against any and all liability resulting from the acts and work performed by Grantee, its agents, employees or designees in, under, on or around the Easement Property pursuant to rights granted by this Declaration.

AUDITOR'S OFFICE
Duly entered for taxation. Subject to final acceptance for transfer.

JUL 03 2003

Elizabeth A. Glover
AUDITOR OF ALLEN COUNTY

FILED

JUL 03 2003

SALES DISCLOSURE FORM

RECORDED
07/03/2003 15:13:23
RECORDER
PATRICIA J CRICK
ALLEN COUNTY, IN

6. *Reserved Rights.* Declarant reserves with respect to the Easement Property (i) the free use thereof in any manner not inconsistent with the terms of this Declaration, (ii) the right to grant similar non-exclusive easements to any person at any time and (iii) the right to assign, grant or convey other rights not inconsistent with the terms of this Declaration to any person at any time. The use of the surface of the Easement Property for vehicular parking, vehicular and pedestrian traffic and for landscaping, fencing and signage shall not be deemed to be inconsistent with the terms of this Declaration.

7. *Benefit.* The terms and provisions of this Declaration shall be binding upon and shall inure to the benefit of Grantee and Declarant, and their respective successors and assigns.

EXECUTED this 3 day of July, 2003.

Hildegard Brandenburg
Hildegard Brandenburg
Deed Ref 94-069529

Daniel P. Nieter, Trustee of the Gertrude S. Stewart Testamentary Trust
Deed Ref 9700 41062 and 20200 9358

STATE OF INDIANA, COUNTY OF ALLEN, SS:

Before me, a Notary Public in and for said County and State, personally appeared Hildegard Brandenburg and Daniel P. Nieter, Trustee of the Gertrude S. Stewart Testamentary Trust, who acknowledged the execution of the above and foregoing instrument.

WITNESS my hand and Notarial Seal this 3 day of July, 2003.

Andrew M. Goeglein, Notary Public
Resident of Allen County, Indiana

My Commission Expires:
June 9, 2008

*This instrument prepared by **ANDREW M. GOEGLEIN, Attorney at Law, Identification No. 8199-02.***

EXHIBIT A

DESCRIPTION FOR THE EXTENSION OF AN EXISTING TWENTY (20) FOOT UTILITY EASEMENT

COMMENCING at the West Quarter corner of Section 28, Township 31 North, Range 12 East in Allen County, Indiana; thence North 00 degrees 11 minutes 04 seconds East (bearing basis for description) along the West line of the Northwest One-quarter of said Section 28, a distance of 60.00 feet; thence North 89 degrees 42 minutes 04 seconds East, a distance of 470.00 feet to the point of beginning.

BEGINNING at the above described point; thence North 00 degrees 11 minutes 04 seconds East, a distance of 20.00 feet; thence North 89 degrees 42 minutes 04 seconds East, a distance of 111.18 feet; thence South 00 degrees 11 minutes 04 seconds West, a distance of 20.00 feet; thence South 89 degrees 42 minutes 04 seconds West, a distance of 111.18 feet to the point of beginning.

THREE RIVERS TITLE COMPANY, INC.

EASEMENT #1
(TO BE VACATED)

#2010018713 Page 1

Doc. No. 2010018713
Receipt No. 0760
DMFD 3.
DEED 10.
DEED 2.
Total 15.

DECLARATION AND GRANT OF GENERAL UTILITY EASEMENT

THIS INDENTURE WITNESSETH, That Hildegard Brandenburg and Daniel P. Nieter, Trustee of the Gertrude S. Stewart Testamentary Trust ("Declarant"), hereby make the following declaration:

1. *Subject Matter of Declaration.* Declarant is the owner of the fee simple title to the real estate in certain property located in Allen County, Indiana, described in the attached Exhibit A, which is incorporated herein by reference (the "Easement Property") as recorded as Document Numbers 94-69529 and 97-41062.

2. *Grant of General Utility Easement.* Declarant hereby grants and conveys to The City of Fort Wayne, Indiana, ("Grantee"), and to the public, a perpetual, non-exclusive easement for the underground installation, use, operation and maintenance of water, sanitary sewer, storm and surface water drainage, electricity, gas and telephone mains, pipes, lines, wires, ducts and drains ("Facilities") in, across and under the Easement Property.

3. *Installation and Maintenance of Facilities.* Any installation, maintenance, repair and/or replacement of Facilities within the Easement Property shall be performed as expeditiously as possible in accordance with good construction practice (including, without limitation, taking all measures to prohibit injury to person or damage to property) and so as to minimize interference with the use of Declarant's property, including the flow of pedestrian and vehicular traffic. Subsequent to any entry on the Easement Property by a Grantee for the exercise of its rights hereunder, Grantee shall restore the Easement Property to at least as good a condition and appearance as existed prior to such entry.

4. *Relocation of Facilities.* Declarant reserves the right from time to time and in its sole discretion to relocate, at its expense, such Facilities as may be located within the Easement Property within other property owned by Declarant. If such Facilities are relocated, Declarant will grant to Grantee a new easement, and Grantee shall release the easement granted hereby. In the event at any time Grantee abandons the Easement Property and no portion thereof is being used by Grantee for the purposes hereby specified, then this easement shall terminate.

5. *Indemnification.* Grantee by undertaking to enjoy the rights granted by this Declaration shall be deemed to have agreed to defend, hold harmless and indemnify Declarant from and against any and all liability resulting from the acts and work performed by Grantee, its agents, employees or designees in, under, on or around the Easement Property pursuant to rights granted by this Declaration.

6. *Reserved Rights.* Declarant reserves with respect to the Easement Property (i) the free use

FILED
MAR 28 2001
SALES DISCLOSURE FORM

AUDITOR'S OFFICE
Duly entered for taxation. Subject to final acceptance for transfer.
MAR 28 2001
AUDITOR OF ALLEN COUNTY

RECORDED
03/28/2001 11:00:02
RECORDER
PATRICIA J CRICK
ALLEN COUNTY, IN

thereof in any manner not inconsistent with the terms of this Declaration, (ii) the right to grant similar non-exclusive easements to any person at any time and (iii) the right to assign, grant or convey other rights not inconsistent with the terms of this Declaration to any person at any time. The use of the surface of the Easement Property for vehicular parking, vehicular and pedestrian traffic and for landscaping, fencing and signage shall not be deemed to be inconsistent with the terms of this Declaration.

7. *Benefit.* The terms and provisions of this Declaration shall be binding upon and shall inure to the benefit of Grantee and Declarant, and their respective successors and assigns.

EXECUTED this 27th day of March, 2001.

Hildegard Brandenburg

Hildegard Brandenburg

Daniel P. Nieter, Trustee of the Gertrude S. Stewart Testamentary Trust

STATE OF INDIANA, COUNTY OF ALLEN, SS:

Before me, a Notary Public in and for said County and State, personally appeared Hildegard Brandenburg and Daniel P. Nieter, Trustee of the Gertrude S. Stewart Testamentary Trust, who acknowledged the execution of the above and foregoing instrument.

WITNESS my hand and Notarial Seal this 27 day of March, 2001.

NOTARY PUBLIC SEAL INDIANA

Andrew M. Goeglein, Notary Public
Resident of Allen County, Indiana

My Commission Expires:
June 9, 2008

This instrument prepared by **ANDREW M. GOEGLEIN**, Attorney at Law, Identification No. 8199-02.

EXHIBIT A

LEGAL DESCRIPTION FOR TWENTY (20) FOOT UTILITY EASEMENT

COMMENCING at the West Quarter corner of Section 28, Township 31 North, Range 12 East in Allen County, Indiana; thence North 00 degree 11 minutes 04 seconds East (bearing basis for description) along the West line of the Northwest One-quarter of said Section 28, a distance of 60.0 feet; thence North 89 degrees 42 minutes 04 seconds East, a distance of 50.0 feet to the point of beginning.

BEGINNING at the above described point; thence North 00 degree 11 minutes 04 seconds East, a distance of 20.0 feet; thence North 89 degrees 42 minutes 04 seconds East, a distance of 420.0 feet; thence South 00 degree 11 minutes 04 seconds West, a distance of 20.0 feet; thence South 89 degrees 42 minutes 04 seconds West, a distance of 420.0 feet to the point of beginning, containing 0.193 acre of land, more or less.

Doc. No. 203125280
Receipt No. 45441
DCFD 3.00
DEED 10.00
DEED 2.00
Total 15.00
RECORDED
12/12/2003 09:53:34
RECORDER
PATRICIA J CRICK
ALLEN COUNTY, IN

COPY

80-0028-8008
WASH.

DECLARATION AND GRANT OF GENERAL UTILITY EASEMENT

THIS INDENTURE WITNESSETH, That Hildegard Brandenburg and Daniel P. Nieter, Trustee of the Gertrude S. Stewart Testamentary Trust ("Declarant"), hereby make the following declaration:

1. *Subject Matter of Declaration.* Declarant is the owner of the fee simple title to the real estate in certain property located in Allen County, Indiana, described in the attached Exhibit A, which is incorporated herein by reference (the "Easement Property") as recorded as Document Numbers 94-69529 and 97-41062.

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3. *Installation and Maintenance of Facilities.* Any installation, maintenance, repair and/or replacement of Facilities within the Easement Property shall be performed as expeditiously as possible in accordance with good construction practice (including, without limitation, taking all measures to prohibit injury to person or damage to property) and so as to minimize interference with the use of Declarant's property, including the flow of pedestrian and vehicular traffic. Subsequent to any entry on the Easement Property by a Grantee for the exercise of its rights hereunder, Grantee shall restore the Easement Property to at least as good a condition and appearance as existed prior to such entry.

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5. *Indemnification.* Grantee by undertaking to enjoy the rights granted by this Declaration shall be deemed to have agreed to defend, hold harmless and indemnify Declarant from and against any and all liability resulting from the acts and work performed by Grantee, its agents, employees or designees in, under, on or around the Easement Property pursuant to rights granted by this Declaration.

AUDITOR'S OFFICE
Duly entered for taxation. Subject to final acceptance for transfer.
DEC 11 2003
Elizabeth A. Gleason
AUDITOR OF ALLEN COUNTY

FILED
DEC 11 2003
SALES DISCLOSURE FORM

6. *Reserved Rights.* Declarant reserves with respect to the Easement Property (i) the free use thereof in any manner not inconsistent with the terms of this Declaration, (ii) the right to grant similar non-exclusive easements to any person at any time and (iii) the right to assign, grant or convey other rights not inconsistent with the terms of this Declaration to any person at any time. The use of the surface of the Easement Property for vehicular parking, vehicular and pedestrian traffic and for landscaping, fencing and signage shall not be deemed to be inconsistent with the terms of this Declaration.

7. *Benefit.* The terms and provisions of this Declaration shall be binding upon and shall inure to the benefit of Grantee and Declarant, and their respective successors and assigns.

EXECUTED this 10 day of Dec., 2003.

Hildegard Brandenburg

Hildegard Brandenburg

Trustee

Daniel P. Nieter, Trustee of the Gertrude S. Stewart Testamentary Trust

STATE OF INDIANA, COUNTY OF ALLEN, SS:

Before me, a Notary Public in and for said County and State, personally appeared Hildegard Brandenburg and Daniel P. Nieter, Trustee of the Gertrude S. Stewart Testamentary Trust, who acknowledged the execution of the above and foregoing instrument.

WITNESS my hand and Notarial Seal this 10 day of December, 2003.

Andrew M. Goeglein, Notary Public
Resident of Allen County, Indiana

My Commission Expires:
June 9, 2008

This instrument prepared by ANDREW M. GOEGLEIN, Attorney at Law, Identification No. 8199-02.

EXHIBIT "A"

LEGAL DESCRIPTION OF PROPOSED TWENTY FOOT UTILITY EASEMENT

Commencing at the West Quarter corner of Section 28, Township 31 North, Range 12 East in Allen County, Indiana as marked by a railroad spike found as noted on the recorded Development Plan of Hillegas Industrial Park in Plat Cabinet D, page 130 as recorded in the Office of the Recorder of Allen County, Indiana; thence North 00 degrees 11 minutes 04 seconds East (bearing based on recorded Development Plan) along the west line of the Northwest One-quarter of said Section 28 as now established, a distance of 435.00 feet; thence North 89 degrees 42 minutes 04 seconds East, a distance of 50.00 feet to the Point of Beginning. BEGINNING at the above described point, said point also being the Southwest corner of a 3.4 acre tract described in DOC. #203087139; thence North 89 degrees 42 minutes 04 seconds East and along the south line and its easterly extension of tract described in DOC. #203087139, a distance of 531.17 feet; thence South 00 degrees 11 minutes 02 seconds West, a distance of 20.00 feet; thence South 89 degrees 42 minutes 04 seconds West, a distance of 531.17 feet to a point on the west 50 foot right-of-way line of Hillegas Road; thence North 00 degrees 11 minutes 04 seconds East along said right-of-way line, a distance of 20.00 feet to the POINT OF BEGINNING.

Schenkel, Sam @ Ft Wayne

From: Schenkel, Sam @ Ft Wayne
Sent: Monday, December 08, 2003 10:56 AM
To: 'Dave Ross (e.mail)'
Subject: Hillegas Industrial Park - Utility Easement Relocation

Dave: I wanted to send you an e.mail prior to me forwarding you the information on the easements, so you would at least have some background. I did not have Mary Jane Slayton's e.mail address in my book, so please forward this on to her.

As discussed last Friday, my issue relates to the Hillegas Industrial Park, located on the east side of Hillegas Road, just north of Independence Drive. (see attached plan) We are in the process of selling Tract #2 to Peg Perego, in anticipation of them developing a new 200,000 s.f. facility. When we developed and sold Tract #1, which lies behind Tract #2, we dedicated a 20' utility easement along the south line of Tract #2, in order to enable the public utilities to be extended from Hillegas Road to serve Tract #1.

Now that Peg Perego is purchasing Tract #2 and constructing such a large facility, they have requested we relocate the existing 20' utility easement from the south side of Tract #2 to the north side of same. (see second attached plan) All parties, including the developer, Perego, and owner of Tract #1 are in agreement for this relocation, and the new/relocated easement documentation is being executed. The existing utility easemement which will be vacated will require the City to "sign-off" on, and that's where I need you or Mary Jane's assistance. I will be sending the paperwork to you later this week, which will include copy of the new easement along with the existing easement vacation document, which will require someone from the City to sign. I would ask that you review and execute on behalf of the City, and return to me for recording.

Perego has asked that we move as quickly as possible on this, so I am hopeful you would be able to process from your end in a week or less, following your receipt of the paperwork from me. Should you have any specific questions beforehand, please give me a call or e.mail. We really appreciate your consideration and assistance in this matter, and helping Perego achieve their goal.

Tract 2 Easement Plan 120503 M...

Tract 2 Easement Plan 120503 M...

Thank you,

Sam

Samual A. Schenkel, CPM, CCIM
Director
Commercial Development Services
CB Richard Ellis/Sturges

From the Desk of:

Samual A. Schenkel, CPM
Vice President
Sturges, Griffin, Trent & Co.
202 W. Berry St., Ste. 610
Fort Wayne, IN 46802
(219) 424-8448
(219) 422-4639 (fax)
saschenkel@cbrichardellis.com

BOARD OF PUBLIC WORKS MINUTES
DECEMBER 17, 2003

BOARD OF PUBLIC WORKS
ROOM 250—OMNI ROOM
MEETING HELD AT 9:00 A.M.

ROBERT P. KENNEDY, CHAIRMAN
JOHN SUAREZ, MEMBER
DENISE PORTER-ROSS, MEMBER
JUSTIN BRUGGER, CLERK

Present: Bob Kennedy, Denise Porter-Ross, and Justin Brugger. Greg Meszaros - Director of Public Works & City Utilities. Chuck Bailey and Carl Wilson – Contract Compliance. Mario Trevino – Transportation Engineering Services. Jack Suter – Development Services. Mark Gensic, Mike Hicks, and Ted Nitza, Planning and Design Services. Ron Sheppard – Engineering Support Services. Ken Nicolet – Public Works Administration. David Ross – City Engineer. Jim Howard – Purchasing Director. Kristine Degabriele – Associate City Attorney. Not Present: John Suarez.

---

1. Approval of Board of Public Works Minutes for December 10, 2003.

   Denise Porter-Ross moved approval. Motion carried. Copy to be herein incorporated.

2. Approval of Minutes from the December 10, 2003, Joint Meeting of the Boards of Public Works and Stormwater Management.

   Denise Porter-Ross moved approval. Motion carried. Copy to be herein incorporated.

3. Improvement Resolution #1614-03, *West Pump Room – HVAC, Door and Window Improvements.*

   Denise Porter-Ross moved approval. Motion carried. Copy to be herein incorporated.

4. Improvement Resolution #1619-03, *Fluoride Feed System Modifications,* ordering the construction of improvements to the fluoride feed piping at the Three Rivers Filtration Plant.

   Denise Porter-Ross moved approval. Motion carried. Copy to be herein incorporated.

5. Approval of Change Order #1 – Final received Wayne Asphalt for Construction Contract #6910-03, *Resurfacing Package 2 – 2003*, increasing the original contract price of $1,082,749.70, by $17,585.02. Including this change order, the new contract price will be $1,065,164.68.

   Mario Trevino: This change order included some increases for a few locations that were added to the package and were not originally in the plan. That affected the milling quantity, bituminous surface quantity, and binder quantity. Items 16 through 19 all refer to casting adjustments and/or furnishings of a couple types of castings. The overall total there involved a little more furnishings, rather than just adjustments in those items. We did not use any of the items 9 through 11, which was for 5D Base and wedge and leveling. These items are added to the project in the event we identify areas of base failure or excessive crown, and we just didn't have that. We were fortunate in matching many existing side streets and drive elevations, and so we used only a third of the mix for approaches, and we did not use any of the crack-sealer item.

000281

- Denise Porter-Ross moved approval. Motion carried. Contract price decreased.

6. Approval of Change Order #4 received from Primco, Inc., for Construction Contract #6936-03, *Pontiac Street and Wayne Trace Intersections*, increasing the original contract price of $1,258,961.22 by $6,997.25. Including this change order, the new contract price will be $1,360,871.81.

   See Agenda Item #7.

7. Approval of Change Order #5 received from Primco, Inc., for Construction Contract #6936-03, *Pontiac Street and Wayne Trace Intersections*, increasing the original contract price of $1,258,961.22 by $39,823.83. Including this change order, the new contract price will be $1,400,695.64.

   David Ross: (*Addressing Agenda Item #6)* This project is substantially complete and is being used. I think the press has had a little fun with it to begin with, but it is really working very effectively and we are very proud of the improvement for the southeast section of the City. This change order is for pavement markings. After the project was bid, the contractor came to the City and proposed changing the pavement type from asphalt to concrete. We accepted that pavement change and thought we might actually get a reduction in the pavement markings by going to a paint type of pavement marking. But, as the season drug on and the temperatures got cool, paint was not an option because we needed warmer temperatures to apply it. So, we then turned to an epoxy that works both on cement, concrete, and bituminous asphalt. So, that is what this change order is for – is to change it from the original thermal plastic and material for bituminous to an epoxy paint for the cement concrete.

   Number five (*addressing Agenda Item #7)* is primarily with the landscaping and aesthetics for the project. The first item is the modular block wall. Our urban designer had wanted a look on the retaining wall. Our consultant recommended against it. I think the urban designer wanted to use a flat face, and because of the bending of the retaining wall, they recommended more of a chiseled face. They went with a flat face, and as we installed it, it turned out that it didn't work out; so they had to take off a couple of layers of blocks and replace it with a straight-face, rather than a sloping face on the retaining wall. So, we are compensating the contractor for removing and resetting the first two layers of block from that retaining wall. The other ones are for some reinforcement for the pads and some mulch seeding around the edges to clean up the project. The last one, that has the significant price to it, is the change in tree types. We worked with AEP, initially, to have their utility lines moved out of the center of the project and more on the perimeter to pull those overhead aerial lines out of the project area to give it a cleaner look. When they relocated their power lines, they were under tree plantings that was proposed to get a screening effect for the project. Therefore, instead of using a higher-type tree that was originally planned for this project, they worked on coming up with a smaller variety that will not get into the power wires. What this change order does not reflect is the deduction for the bigger trees that were originally bid on this project. So, that will be adjusted in the final change order by not using that quantity for the bigger trees. While there is a $16,000 increase, there should be a similar adjustment on the bigger trees in the final change order.

   Bob Kennedy: Dave, you expect the final change order to be in the Spring?

   David Ross: We are processing it right now. Hopefully, it will come before the Board before the end of the year.

   Denise Porter-Ross: But the plantings and the final restoration the public should expect to see early Spring.

   David Ross: Actually, they should be out working on the topsoil and the sodding for the center sections of the roundabouts this week. Hopefully, we will have this project finished and completed by the end of this week or the first part of next.

   Denise Porter-Ross: It looks good and it drives well. Thank you.

Denise Porter-Ross moved approval of Agenda Items 6 and 7. Motion carried. Contract price increased.

8. Approval of Change Order #1 – Final received from Reynolds, Inc., for Construction Contract #681-02, *Inwood Drive Sewer Repair*, decreasing the original contract price of $112,701.00 by $9,372.00. Including this change order, the new contract price will be $103,359.00.

   Denise Porter-Ross moved approval. Motion carried. Acceptance Letter to be sent.

9. Approval of recommendation from Transportation Engineering Services to accept the work performed by Key Concrete for Emergency Resolution 90-339-22, *Emergency Concrete Repair at East State Boulevard and Windrush Drive*.

   Denise Porter-Ross moved approval. Motion carried. Acceptance Letter to be sent.

10. Approval of recommendation from Transportation Engineering Services to accept the work performed by Brooks Construction for Construction Contract #6804-01, *Jefferson Boulevard: W. Railroad Viaduct to Saint Mary's River Bridge*, as an integral part of the City's transportation system.

    Denise Porter-Ross moved approval. Motion carried. Acceptance Letter to be sent.

11. Approval of recommendation from Transportation Engineering Services to accept the work performed by Wayne Asphalt for Construction Contract #6910-03, *Resurfacing Package 2 – 2003,* as an integral part of the City's transportation system.

    Denise Porter-Ross moved approval. Motion carried. Acceptance Letter to be sent.

12. Approval of recommendation from Transportation Engineering Services to accept the work performed by Wayne Asphalt for Construction Contract #6914-03, *Harrison Street: Rudisill Boulevard to Killea Street*, as an integral part of the City's transportation system.

    Denise Porter-Ross moved approval. Motion carried. Acceptance Letter to be sent.

13. Approval of recommendation from Transportation Engineering Services to accept the work performed by Garcia Concrete for Construction Contract #6916-03, *Hoevelwood Civic Neighborhood*, as an integral part of the City's transportation system.

    Denise Porter-Ross moved approval. Motion carried. Acceptance Letter to be sent.

14. Approval of recommendation from Transportation Engineering Services to accept the work performed by Newell Construction for Construction Contract #6937-03, *Arlington Park Phase II Concrete Street Repairs*, as an integral part of the City's transportation system.

    Denise Porter-Ross moved approval. Motion carried. Acceptance Letter to be sent.

000283

15. Approval of recommendation from Transportation Engineering Services to accept the work performed by Key Concrete for Construction Contract #6938-03, *Miscellaneous Construction Package 2-A-03*, as an integral part of the City's transportation system.

    Denise Porter-Ross moved approval. Motion carried. Acceptance Letter to be sent.

16. Approval of recommendation from Transportation Engineering Services to accept the work performed by Newell Construction for Construction Contract #6939-03, *Miscellaneous Construction Package 2-B-03*, as an integral part of the City's transportation system.

    Denise Porter-Ross moved approval. Motion carried. Acceptance Letter to be sent.

17. Approval of recommendation from Transportation Engineering Services to accept the work performed by Brooks Construction for Construction Contract #6941-03, *Nussbaum Alley Reconstruction*, as an integral part of the City's transportation system.

    Denise Porter-Ross moved approval. Motion carried. Acceptance Letter to be sent.

18. Approval of recommendation from Transportation Engineering Services to accept the work performed by Brooks Construction for Construction Contract #6946-03, *Barthold Street: Third to Spring*, as an integral part of the City's transportation system.

    Denise Porter-Ross moved approval. Motion carried. Acceptance Letter to be sent.

19. Approval of recommendation from Transportation Engineering Services to accept the work performed by Key Concrete for Construction Contract #6948-03, Wenonah Lane – 3500 Block, as an integral part of the City's transportation system.

    Denise Porter-Ross moved approval. Motion carried. Acceptance Letter to be sent.

20. Approval of recommendation from Transportation Engineering Services to accept the work performed by Garcia Concrete for Construction Contract #6950-03, *Miscellaneous Construction Package 6-A-03,* as an integral part of the City's transportation system.

    Denise Porter-Ross moved approval. Motion carried. Acceptance Letter to be sent.

21. Approval of recommendation from Transportation Engineering Services to accept the work performed by Primco, Inc. for Construction Contract #6951-03, *Clover Lane*, as an integral part of the City's transportation system.

    Denise Porter-Ross moved approval. Motion carried. Acceptance Letter to be sent.

22. Approval of recommendation from Transportation Engineering Services to accept the work performed by Key Concrete for Construction Contract #6965-03, *East Maple Grove*, as an integral part of the City's transportation system.

    Denise Porter-Ross moved approval. Motion carried. Acceptance Letter to be sent.

000284

23. Approval of recommendation from Transportation Engineering Services to accept the work performed by Key Concrete for Emergency Resolution #90-291-5, *3830 Willshire Court*, as an integral part of the City's transportation system.

Denise Porter-Ross moved approval. Motion carried. Acceptance Letter to be sent.

24. Approval of recommendation from Engineering Support Services to accept the work performed by All Star Excavating for Construction Contract #1112-02, *Burns Boulevard Water Main Replacement,* as an integral part of the City's water distribution system.

Denise Porter-Ross moved approval. Motion carried. Acceptance Letter to be sent.

25. Approval of recommendation from Engineering Support Services to accept the work performed by Kurtz Excavating for Sewer Contract #2003-S-24, *Stone Creek Section IV & Commercial*, as an integral part of the city's sanitary sewer system.

Denise Porter-Ross moved approval. Motion carried. Acceptance Letter to be sent.

26. Approval of recommendation from Engineering Support Services to accept the work performed by Pyramid Excavating for Sanitary Sewer Contract #2003-S-28, *Woodfield Section II,* as an integral part of the City's sanitary sewer system.

Denise Porter-Ross moved approval. Motion carried. Acceptance Letter to be sent.

27. Approval of recommendation from Engineering Support Services to accept the work performed by Kurtz Excavating for Sewer Contract #2003-S-30, *Hawthorne Park Section VII*, as an integral part of the City's sanitary sewer system.

Denise Porter-Ross moved approval. Motion carried. Acceptance Letter to be sent.

28. Approval of recommendation from Engineering Support Services to accept the work performed by Kurtz Excavating for Sewer Contract #2003-S-31, *Hawthorne Park Section VIII*, as an integral part of the City's sanitary sewer system.

Denise Porter-Ross moved approval. Motion carried. Acceptance Letter to be sent.

29. Approval of recommendation from Engineering Support Services to accept the work performed by Frontier Contractors for Water Contract #2003-W-10, *Creekwood Section IV*, as an integral part of the City's water distribution system.

Denise Porter-Ross moved approval. Motion carried. Acceptance Letter to be sent.

30. Approval of recommendation from Engineering Support Services to accept the work performed by Kurtz Excavating for Water Contract #2003-W-17, *Stone Creek Section IV*, as an integral part of the City's water distribution system.

Denise Porter-Ross moved approval. Motion carried. Acceptance Letter to be sent.

000285

31. Approval of recommendation from Engineering Support Services to accept the work performed by Bercot, Inc., for Water Contract #2003-W-19, *Rothman Road Water Main Extension for North Church of Christ*, as an integral part of the City's water distribution system.

Denise Porter-Ross moved approval. Motion carried. Acceptance Letter to be sent.

32. Approval of Sanitary Sewer Contract #2003-S-33, *Sheridan Road – Landis Property*, between the City of Fort Wayne and Jerry and Kim Landis, to construct a local sanitary sewer system to serve the Landis Property on Sheridan Road. This project is privately funded, located outside the City, and is in a green zone.

Jack Suter: They have proposed to build a relatively short sewer line (170 feet) to serve a mobile home on that site.

Denise Porter-Ross moved approval. Motion carried. Sewer to be constructed.

33. Approval of Sanitary Sewer Contract #2003-S-34, *Goeglein Road – Buhr Property*, between the City of Fort Wayne and Ralph and Gloria Buhr, to construct a local sanitary sewer system to serve the Buhr property on Goeglein Road. This project is privately funded, located inside the City, and is in a green zone.

Jack Suter: This will serve two houses; one existing house and a proposed new one. It will tie into an existing sewer that runs along the side of Goeglein Road.

Denise Porter-Ross moved approval. Motion carried. Sewer to be constructed.

34. Approval of Full Release of Escrow received from Wayne Asphalt for Construction Contract #6910-03, *Resurfacing Package 2 – 2003*, in the amount of $106,516.14.

Denise Porter-Ross moved approval. Motion carried. Copy to be sent to escrow agent.

35. Approval of Full Release of Escrow received from Reynolds, Inc., for Construction Contract #681-02, *Inwood Drive Sewer Repair*, in the amount of $10,335.90.

Denise Porter-Ross moved approval. Motion carried. Copy to be sent to escrow agent.

36. Approval of Full Release of Escrow Received from All Star Construction for Construction Contract #1100-02, *Charlotte Avenue Water Main*, in the amount of $28,178.02.

Denise Porter-Ross moved approval. Motion carried. Copy to be sent to escrow agent.

37. Approval of Partial Release of Escrow received from All Star Construction for Construction Contract #1513-03, *Camp Scott Phase II Force Main*, in the amount of $83,914.42.

Denise Porter-Ross moved approval. Motion carried. Copy to be sent to escrow agent.

38. Approval of Professional Services Agreement between the City of Fort Wayne and GRW Engineers for an engineering report related to the Trier Road Sanitary Sewer Rehabilitation Project.

Mike Hicks: The project is the rehabilitation of one of our sewer lines on Windswept and Trier Road. It is a 15-inch clay pipe, approximately 5,000 feet long and 10 to 22 feet deep. We have had problems with this particular sewer line in the past and have just recently completed the cleaning and televising because of the amount of debris and high flows. After reviewing the tapes, the line is in very poor condition. It has cracks, sags, open joints, and we have a tremendous amount of I and I coming in. The first phase of this would be for the engineer to do an engineering report and then make some recommendations to some alternatives for the rehab. After review of the engineering report and deciding on the alternatives, I will come back for an amendment for that so we can proceed on the design work. This is for a not to exceed fee of $20,000.00.

Denise Porter-Ross moved approval. Motion carried. Copy to be placed on file on vault.

39. Approval of resolution awarding the damages sustained and assessing the benefits accrued to certain real and personal property and confirming Resolution 89-183-6 of the Board of Public Works appropriating and condemning real and personal property. **90-402-39**

Greg Meszaros: Several months back, the Board commissioned appraisals of the AquaSource North System for valuation purposes. We have had a couple of extensions to that appraisal process timeline in order to accommodate the change in ownership from DQE Electric to Philadelphia Suburban Corporation of AquaSource and the additional information they wanted to supply for that. We have completed that process to get additional information and completed our appraisals.

As part of the package that we delivered to Justin, you actually have two appraisal reports. The first was performed by Malcolm Pirnie, Inc., and it is a valuation process based upon an asset method known as Replacement Cost New – Less Depreciation. In essence, simplified, what is the cost of the assets to replace them minus accumulated depreciation. The second report is also a valuation report performed by Crowe Chizek. This took a different approach. It appraised the value of the AquaSource North System through more of an Income/Market-Based Approach for valuation purposes.

What the State Law requires and how our resolution is set up, is that we would recommend the Board adopt a resolution today that would take the average of these two appraisals as the maximum damages that would be awarded for the AquaSource North System. The average of the two appraisals would be in the amount of $17.2 million (slightly more than that – the exact amount is in the resolution).

Should the Board agree to adopt the resolution today, it would confirm and reaffirm the Board's intent to condemn these north water and sewer assets of AquaSource. It would set this maximum proposed cost of damages at the average of the two appraisals. It would trigger off a notification process where AquaSource would receive notification and the appraisal reports. This resolution would also establish a Remonstration Hearing on January 14, where AquaSource and their representatives would come and provide additional testimony and evidence to the Board on valuation issues with the North System.

In conclusion, before we take questions, I would just add that we had extensive financial, legal, and engineering review of this process and of the appraisals. We feel, from a staff perspective, that they are well done and should be adopted by the Board. We believe they pass two thresholds. One, that this is a reasonable amount for the North Sewer System. And also, that it is an affordable amount for our Utility and for our ratepayers.

Lastly, and perhaps most importantly, as we have been conveying all along (and since the Board originally started this process), we believe the North Acquisition serves important public goods for both our customers and the Utility Center Customers. Better service, better quality of water, better fire protection, better reliability – many public goods to both customers, ours and theirs. This system should be run as one system, not two.

With that, I would be happy to answer any questions. I have Ted here for any detail questions that you might have. We also have legal staff here, Jim Howard and Kristine were integral in our assembly of this resolution and the process over the last few months. We are ready to jump in anywhere you like.

Bob Kennedy: The remonstrance hearing, Greg, on January 14, would give them time. They could come present any evidence they had, and the Board would hear it?

Greg Meszaros: Absolutely. They'll receive a notification this week. They will receive all the appraisal information that we had and they will be able to digest that and come to the Board on the 14th and give some additional information for the Board to ponder as we do this process. This is tracking along a similar path on the stormwater side for what we did with the Hanna-Creighton condemnation. Similarly, if AquaSource would come and want to discuss settlement with this outside the condemnation process, we have been and are continuing to be willing to discuss at anytime in settlement talks, the settlement of this issue with AquaSource.

Denise Porter-Ross: That is really the gist of my question. We are still communicating as best as possible with AquaSource? This is not something that they are not aware could and would be happening at this point, because we had to actually talk with them when we were going through the appraisal and some of the things of that nature?

Greg Meszaros: Correct. Yes.

Denise Porter-Ross: Just for the record, when we had visited the AquaSource issue earlier, we had determined that we wanted to be sure that we had the whole Board available to discuss that. Since this is actually a continuance on something that we have already worked on, I feel comfortable on doing the vote with the two of us today.

Denise Porter-Ross moved approval. Motion carried.

Bob Kennedy: To note for the record, our third Board member, John Suarez, is absent today. He will receive a copy of the approved resolution along with a copy of all the appraisal reports that we received.

Greg Meszaros: We will make staff available to answer any questions that John may have on this.

Denise Porter Ross: And then for January 14, we will make sure that we have a full component of the Board available.

40. Approval of Barrett Law Claims in the amount of $60,855.80 for the week of December 17, 2003.

Denise Porter-Ross moved approval. Motion carried. Claims to be sent to Finance Department.

41. Approval of General Accounting Claims in the amount of $30,876,316.19 for the week of December 17, 2003.

Denise Porter-Ross moved approval. Motion carried. Claims to be sent to Finance Department.

42. Old Business.

43. New Business.

i. Approval of Change Order #1 received from Hipskind Concrete for Construction Contract #6970-03, *Miscellaneous Construction Package 5-C-03*, increasing the number of days to achieve readiness for final completion by 23 days. The previous completion date was December 1, 2003. Including this change order, the new completion date will be December 24, 2003.

Mario Trevino: The Board may or may not recall the location that this change order involves. It is the elevation handrail near GE. The damage was created by a vehicle being pursued by the police that then catapulted off the upper elevation and then damaged a handrail on the opposite side of the street. The contract, apparently, had not been signed internally until after the original completion date. So, this change order seeks to establish and extend the completion date to December 24, allowing the contractor to receive the Notice to Proceed and then complete the project.

Bob Kennedy: This project did resurface this week. I got a call on it just yesterday.

Denise Porter-Ross moved approval. Motion carried. Contract price increased.

Meeting adjourned at 9:51 a.m.

Robert P. Kennedy, Chairman

Denise Porter-Ross, Member

John Suarez, Member

Attest: Justin Brugger, Clerk

000289

BOARD OF STORMWATER MANAGEMENT MINUTES
DECEMBER 17, 2003

BOARD OF STORMWATER MANAGEMENT
ROOM 250—OMNI ROOM
MEETING HELD AT 9:53 A.M.

GREG MESZAROS, CHAIRMAN
JOHN SUAREZ, MEMBER
DENISE PORTER-ROSS, MEMBER
JUSTIN BRUGGER, CLERK

Present: Greg Meszaros, Denise Porter-Ross, and Justin Brugger. Bob Kennedy – Associate Director of Public Works & City Utilities. Chuck Bailey and Carl Wilson – Contract Compliance. Jack Suter – Development Services. Mark Gensic, Mike Hicks, and Ted Nitza, Planning and Design Services. Ron Sheppard – Engineering Support Services. Ken Nicolet – Public Works Administration. Jim Howard – Purchasing Director. Kristine Degabriele – Associate City Attorney. Not Present: John Suarez.

1. Approval of Board of Stormwater Management Minutes of December 10, 2003.

   Denise Porter-Ross moved approval. Motion carried. Copy to be herein incorporated.

2. Approval of Minutes from the December 10, 2003, Joint Meeting of the Boards of Public Works and Stormwater Management.

   Denise Porter-Ross moved approval. Motion carried. Copy to be herein incorporated.

3. Old Business.

4. New Business.

Meeting adjourned at 9:54 a.m.

Greg Meszaros, Chairman

Denise Porter-Ross, Member

John Suarez, Member

Attest: Justin Brugger, Clerk

BOARD OF PUBLIC WORKS MINUTES
DECEMBER 31, 2003

BOARD OF PUBLIC WORKS
ROOM 250—OMNI ROOM
MEETING HELD AT 9:02 A.M.

ROBERT P. KENNEDY, CHAIRMAN
DENISE PORTER-ROSS, MEMBER
JOHN SUAREZ, MEMBER
JUSTIN BRUGGER, CLERK

Present: Bob Kennedy, Denise Porter-Ross, John Suarez, and Justin Brugger. Chuck Bailey and Carl Wilson – Contract Compliance. Mary Jane Slaton and Jack Suter – Development Services. Mark Gensic - Planning and Design Services. Ron Sheppard – Engineering Support Services. Ken Nicolet – Public Works Administration. David Ross – City Engineer. Jim Howard – Purchasing Director. Kristine Degabriele – Associate City Attorney. Al Lichtsinn – Street Light Engineering.

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1. Approval of Board of Public Works Minutes for December 17, 2003.

   Denise Porter-Ross moved approval. Motion carried. Copy to be herein incorporated.

2. RECEIVE BIDS: Improvement Resolution #1117-03, *Northwest Pump Station Phase II and Water Mains Phase II.*

Bidder	Base Bid	Alternate Bid
All Star Construction	$609,415.00	
Bercot, Inc.		
Creative Control Systems		
Dublin Technical Systems		
Engineered Fluid, Inc.		
Frakes Engineering		
Jim Julian Electric		
Maddox Industrial Contractors	$651,000.00	
Phil Rorick Electric, Inc.		
Precision Control Systems		
Primco, Inc.		
Robert E. Crosby	$581,000.00	
Scheidleman Excavating		

   Engineering Support Services to tabulate and report.

3. Approval of Sanitary Sewer Contract #2003-S-19A, *Bass Road Sanitary Sewer Extension,* between the City of Fort Wayne and Bass Road Investment Group to construct a local sanitary sewer system to serve individual parcels adjoining Bass Road.

   Jack Suter: During the construction of the Neuhaus Interceptor Sewer, it was determined that we should build a small sewer line (1,123 LF) to do some septic tank relief in that particular area. This contract reflects that. The Bass Road Investment Group will build it for us and it will provide septic tank relief for a number of homes in that area.

   Bob Kennedy: Do you know the number of homes that will be served?

   Jack Suter: Seven (7).

   John Suarez moved approval. Motion carried. Sewer to be constructed.

4. Approval of Sanitary Sewer Contract #2003-S-35 between the City of Fort Wayne and the Allen County Public Library to Construct a local sanitary sewer system to serve the SPZP Revitalization Project. This project is privately funded, located inside the City, and is in a green zone.

   Jack Suter: As part of the construction of the new library in the vicinity of Hanna and Creighton Street, it was necessary to remove a sanitary sewer line relocated down the street, and this reflects that particular item.

   Denise Porter-Ross moved approval. Motion carried. Sewer to be constructed.

5. Approval of Change Order #1 – Final, received from Widner Paving for Construction Contract #6968-03, *Temple Drive*, increasing the original contract price of $58,474.50 by $2,064.34. Including this change order, the new contract price will be $60,538.84.

   John Suarez moved approval. Motion carried. Contract price increased.

6. Approval of Change Order #1 – Final, received from Lights and Signals, Inc., for Construction Contract #289-03, *Crescent Avenue,* increasing the original contract price of $23,639.00 by $1,020.63. Including this change order, the new contract price will be $24,659.63.

Denise Porter-Ross moved approval. Motion carried. Contract price increased.

7. Approval of Change Order #1 – Final, received from Triscape, Inc., for Resolution #90-312-27, *4415 Old Mill Road – Emergency Repair,* decreasing the original contract price of $739.00 by $45.00. Including this change order, the new contract price will be $694.30.

John Suarez moved approval. Motion carried. Contract price decreased.

8. Approval of resolution establishing per tap sewer costs to property owners to reimburse the Sewer Utility for a later sewer extension on Bass Road.

Mary Jane Slaton: This relates to the Bass Road Sanitary Sewer Extension Contract that Jack Suter presented to you a few minutes ago. This area on Bass Road is outside the city limits, and there was a pretty severe need to do some septic tank relief for the seven properties along there. Because these folks were outside the city limits, they are not eligible for any sort of financing through the Barrett Law. Because City Utilities felt we should be reimbursed for the cost of extending that sewer (as we would be reimbursed for the cost of extending any other sewer, such as we would do through a petition project), we established kind of a new mechanism that we want to try on this project. It is very similar to a Notice of Water Main Extension, where we would get a reimbursement from anyone that would tap a water main. There is a resolution here for you to sign that establishes a cost to each of these seven homes on Bass Road that they will pay when they connect to the sewer line. Through our Accounting and our Customer Service Department, we will offer them a financing mechanism to finance their share of this sewer extension at five percent, as it would be through Barrett Law. The thing about this is they do not get the $4,000.00 cap that property owners in the City working through Barrett Law would get. So, this resolution that we are asking you to approve today establishes a per property cost for this sewer line of $8,897.48, but it will provide a mechanism whereby these property owners can finance that.

Denise Porter-Ross: This has been discussed with these property owners? They are familiar with the reasons why the cannot go Barrett and this is an acceptable alternative for them?

Mary Jane Slaton: Yes. We worked very closely with this property owners. Each of them donated an easement for the construction of this sewer. We had a number of meetings with them in their homes, individually and in groups. This is a per property cost of about $1,000.00 less than we discussed with them, so I'm hopeful that they'll be pleased because it is better than what they originally thought.

Denise Porter-Ross: This will be a template that we can use if this (type of issue) comes up again?

Mary Jane Slaton: Yes. This is a new model. Development Services has tried to create some new models for helping people finance sewer extensions over the past couple of years, and this is yet another attempt to make this easier on the property owners.

Denise Porter-Ross moved approval. Motion carried. Copy to be herein incorporated.

9. Approval of Change Order #1 – Final, received from the Robert Henry Corporation for Construction Contract #286-03, *Lima Road – Coliseum to Ley*, increasing the original contract price of $34,090.00 by $2,419.10. Including this change order, the new contract price will be $36,509.10.

John Suarez moved approval. Motion carried. Contract price increased.

10. Approval of recommendation from Engineering Support Services to accept the work performed by Kurtz Excavating for Sanitary Sewer Contract #2003-S-14, *Sutters Cove – Sanitary,* as an integral part of the City's sanitary sewer system.
Denise Porter-Ross moved approval. Motion carried. Acceptance Letter to be sent.

11. Approval of recommendation from Engineering Support Services to accept the work performed by Fox Contractors for Water Contract #2003-W-18, *Saddlebrook Section II & Villas*, as an integral part of the City's water distribution system.

John Suarez moved approval. Motion carried. Acceptance Letter to be sent.

12. Approval of recommendation from Engineering Support Services to accept the work performed by Fox Contractors for Sanitary Sewer Contract #2003-S-23, *Saddlebrook Section II & Villas*, as an integral part of the City's sanitary sewer system.

Denise Porter-Ross moved approval. Motion carried. Acceptance Letter to be sent.

13. Approval of recommendation from Engineering Support Services to accept the work performed by Fox Contractors for Sanitary Sewer Contract #2003-S-21, *Hickory Pointe Section II – Sanitary*, as an integral part of the City's sanitary sewer system.

John Suarez moved approval. Motion carried. Acceptance Letter to be sent.

14. Approval of recommendation from Engineering Support Services to accept the work performed by Land, Inc., for Construction Contract #1510-02, *Neuhaus Interceptor Phase II*, as an integral part of the City's sanitary sewer system.

John Suarez moved approval. Motion carried. Acceptance Letter to be sent.

15. Approval of recommendation from Engineering Support Services to accept the work performed by Liberty Construction, Inc., for Construction Contract #1510-02, *Neuhaus Interceptor Phase II*, as an integral part of the City's sanitary sewer system.

Denise Porter-Ross moved approval. Motion carried. Acceptance Letter to be sent.

16. Approval of recommendation from Transportation Engineering Services to accept the work performed by Key Concrete for Construction Contract #6967-03, *Public Sidewalk Curb Ramp Packages 3 & 4 – 2003*, as an integral part of the City's transportation system.

John Suarez moved approval. Motion carried. Acceptance Letter to be sent.

17. Approval of recommendation from Transportation Engineering Services to accept the work performed by All Star Construction for Construction Contract #6736-01, *Clinton Street – Coldwater to Coliseum*, as an integral part of the City's transportation system.

John Suarez: Is everything clear on this one?

David Ross: Yes. To the best of my knowledge, everything has been cleared. The facility has been operational and everybody is very pleased with the results.

John Suarez: The operators were complaining that they weren't getting the right wages.

David Ross: That was cleared up.

John Suarez moved approval. Motion carried. Acceptance Letter to be sent.

18. Approval of recommendation from Transportation Engineering Services to accept the work performed by Hipskind Concrete for Construction Contract #6958-03, *Curb Ramp Package 1 – 2003*, as an integral part of the City's transportation system.

John Suarez moved approval. Motion carried. Acceptance Letter to be sent.

19. Approval of recommendation from Transportation Engineering Services to accept the work performed by Wayne Asphalt for Construction Contract #6906-02, *Philley Avenue – Weisser Park*, as an integral part of the City's transportation system.

John Suarez moved approval. Motion carried. Acceptance Letter to be sent.

20. Approval of Release of General Utility Easement between the City of Fort Wayne and Hildegard Brandenburg and Daniel P. Nieter, Trustee of the Gertrude S. Stewert Testamentary Trust. City Engineering recommends approval.

David Ross: This area is located on the west side of the City along Hillegas Road, just north of Centennial Industrial Park. An industry there, Peg Perego, is experiencing phenomenal growth. They have had a lot of demand for their products, so they want to expand their operation and add more growth and jobs to the area. They want to expand in lots immediately adjacent to their existing operation, and this will bridge over an existing utility easement. They approached the City, first of all, to review and see if there is any need for that easement that they wish to vacate. We have checked through City Utilities and there is no need at this time, although City Utilities requested that a new easement be provided next to the growth so that it can support any service extensions to other industrial lots in the area. This is the first step for the vacation of the easement. They will go through the City Clerk's office to do a formal request for a vacation of the easement, so that other utilities will get the opportunity to review the request and comment on it. We do not believe that there will be any other adverse comments rejecting the request for the easement. Therefore, we do recommend approval.

Denise Porter-Ross: Approximately, when will we see the growth that they are anticipating?

David Ross: They want to start early in 2004. The orders are already in place and they want to start up real fast.

Denise Porter-Ross moved approval. Motion carried. Copy to be herein incorporated.

21. Approval of Professional Services Agreement between the City of Fort Wayne and Roger Hirt for services for a project involving application of Six Sigma quality management tools to City Services and the training of City employees in the use of these tools. Compensation for services shall not exceed $48,850.00.

John Suarez moved approval. Motion carried. Copy to be placed on file in vault.

22. Approval of Encroachment License Agreement between the City of Fort Wayne and Vorderman Motorwerks.

Jack Suter: Vorderman Moterwerks has added to their facility on Washington Center Road, which included a new parking lot. There is a water line underneath that particular parking lot, and as part of our approval process, we said that we wanted them to sign an encroachment agreement with the Board of Works acknowledging the fact that in the event the Utility needs to go in and do any work on that water line, that they recognize it is ours and we would be involved in any particular expenses occurring.

Denise Porter-Ross moved approval. Motion carried. Agreement to be sent to Recorder's Office.

23. Approval of Miscellaneous Resolution #90-410-23 approving and confirming authority is given to the Purchasing Director and/or the Purchasing Department to solicit quotes for Public Works projects that are estimated to cost less than $75,000.00 and do not require detailed plans and specifications.

Jim Howard: This resolution comes about as a result of an issue that we struggle with. Frankly, the Purchasing Department isn't interested in opening up the floodgates to take on the projects, which are under the jurisdiction of the Board of Works. What we are really focusing on are those small projects, upgrades to buildings, which technically could be defined a public work, but are not the kinds of projects that the Board of Works necessarily looks at. For example, replacement of doors in a facility, replacement of windows in a facility – technically simple projects, which could cost, perhaps, up to $50,000.00. They are the kinds of projects that Purchasing could quote out as the purchasing agency for the City of Fort Wayne. What we are asking here is that that Board of Works actually recognize that authority by the Purchasing Department. We currently do have small projects with Property Management that we have actually bid out or quoted out ourself. Technically, those might have been a public work, but we did it ourselves as the purchasing agent. What this does, is it simply gives us the authority to do the solicitation. It doesn't change the necessity for contracts, it doesn't change the necessity for proper contract administration by the engineers, it doesn't change any of those things which are watchdogs over the particular projects; but it inserts Purchasing in, in particular instances where it is a technically simple project to actually go out and do the bids. We have to do the same thing that statue requires of the Board of Works for any public work project from a dollar on up, we have to quote it out and we have to give the bidders seven days to respond, and we have to do a public opening on those public work projects. So, that is what the law calls us to do on public works, and that is very different from our commodities in purchasing, because with commodities, we can do a fax quote overnight and get quotes; or we can even do telephone quotes for $25,000.00 and less sometimes. So, we can get quotes pretty quickly that way; but for public works, there is a higher bar. It's the same bar that we use for commodities that are above $25,000.00. I'm asking that the Board approve this resolution acknowledging that authority by the purchasing department to solicit these quotes, but with this caveat. I want the Board to understand that this isn't some attempt by the Purchasing Department to open the floodgates to handling Board of Works projects – that isn't the case at all. It is for projects that are technically simple. Complex engineering projects belong before this board. The projects that we get should be specifically earmarked as public works projects. Because of that difference that my buyers need to know between commodities, laws, and public work projects, that they have this higher standard of bidding. With those criteria in mind, I'm asking that the Board approve this resolution, and I know that Mark had a couple of other comments to make.

Mark Gensic: This reolution is simply a clarification that the Director of Purchasing is an agent or an extension of the Board. State Statue allows that to happen. One of the things that we are after is, basically, project efficiency. This is about size of projects. If we have some windows, or a door, or a piece of equipment that we need to buy, we don't really want to spend the value of that piece of equipment in developing detailed plans and specifications and then taking everything through the Board of Works and then having all the other Board of Works procedures kick in place. We want to be able to efficiently and quickly help one of the plants or one of the stations get fixed-up so it can continue to serve the public in its capacity to do that. The intent of the law is clear – and that is to take competitive bids. Purchasing does that and the Board of Works does that. That is going to stay in place, absolutely. We keep good records, just like the Board does. Like this morning, while you did the $600,000.00 bid opening – Purchasing does the same. They will take and solicit quotes. But if we have got a $10,000.00 project or a $5,000.00 project, we shouldn't put $20,000.00 worth of engineering in it – that's what it's about. We are trying to spend the public funds for sanitary, storm, and civil city taxes efficiently on the smaller projects, and I think State Statue clearly allows us to do that. We just want to make this guy (Jim Howard) feel more comfortable in his role of doing stuff that looks to be public works projects.

Denise Porter-Ross: Some of those projects have come before this board fairly recently when we were looking at generators, for example. Could that be one of those projects that could go directly...?

Mark Gensic: No, that's pretty big; and that's pretty complicated. So, we'll do detailed plans and take that through.

Denise Porter-Ross: Okay, but the doorbell for a fire station could go directly to the Purchasing Department.

Jim Howard: Oh, sure. Yes.

Bob Kennedy: Mark, you had some where you did some window changes in the buildings...

Mark Gensic: ...more lighting to increase security, you know. These kinds of things that once we do a three or four page spec on what kind of lighting, let's go ahead and get it quoted and get it going.

Denise Porter-Ross: And you'll make it clear to your Department Heads which projects go which route?

Mark Gensic: Purchasing and Engineering have talked a lot back and forth about this. We'll be the gatekeeper of what goes through the Board. This won't change their volume much at all. Most everything still goes through the Board of Works.

Denise Porter-Ross moved approval. Motion carried. Copy to be herein incorporated.

24. Approval of Barrett Law Claims in the amount of $24,323.36 for the week of December 31, 2003.

John Suarez moved approval. Motion carried. Copy to be sent to Finance Department.

25. Approval of General Accounting Claims in the amount of $6,306,265.34 for the week of December 31, 2003.

Denise Porter-Ross moved approval. Motion carried. Copy to be sent to Finance Department.

26. Old Business.

27. New Business.

i. Approval of recommendation from Transportation Engineering Services to accept the work performed by Widner Paving for 6968-03, *Temple Drive*, as an integral part of the City's transportation system.

John Suarez: Is anyone here to address this?

David Ross: I'm not too familiar with this project, although it is just closing out the project and getting the City's acceptance so that they can get the maintenance bond.

John Suarez: The reason I was asking, was because the last time we had a problem with this contractor, as far as the quality of work he was performing, it wasn't very good.

David Ross: John, I will check on that to confirm it, but because I haven't heard anything bad or negative, I believe that the project was completed to the satisfaction of the Transportation Engineering Services department, but I will follow-up on it.

John Suarez: Does this have to be accepted today?

David Ross: No, I believe it could be postponed until next week when Mario Trevino is available. He'll be able to respond to your question.

John Suarez moved to table. Motion carried. Item tabled.

ii. Approval of Change Order #1 – Final, received from All Star Construction for Construction Contract #6911-03, *Inwood Drive Phase I – Final*, increasing the original contract price of $580,794.94 by $4,749.13. Including this change order, the new contract price will be $585,544.07.

David Ross: We just processed this change order yesterday, and I thank Justin for getting it on the agenda so fast, even though we got it in late. So, thanks for processing this and getting it available. This change order is the first and final. It is merely adjusting items that are necessary to complete the project. This was a joint project between TES and Water Utilities. We have passed the change order to Ron Sheppard who has reviewed it and is pleased with it; or, at least, accepts the change order. So, therefore, we do recommend approval. The change order is less than one percent of the adjusted overall project cost.

Denise Porter-Ross moved approval. Motion carried. Contract price increased.

Meeting adjourned at 9:40 a.m.

Robert P. Kennedy, Chairman

Denise Porter-Ross, Member

John Suarez, Member

Attest: Justin Brugger, Clerk

BOARD OF STORMWATER MANAGEMENT MINUTES
DECEMBER 31, 2003

BOARD OF STORMWATER MANAGEMENT
ROOM 250—OMNI ROOM
MEETING HELD AT 9:40 A.M.

GREG MESZAROS, CHAIRMAN
JOHN SUAREZ, MEMBER
DENISE PORTER-ROSS, MEMBER
JUSTIN BRUGGER, CLERK

Present: Denise Porter-Ross, John Suarez, and Justin Brugger. Bob Kennedy – Associate Director of Public Works and Utilities. Chuck Bailey and Carl Wilson – Contract Compliance. Mary Jane Slaton and Jack Suter – Development Services. Mark Gensic - Planning and Design Services. Ron Sheppard – Engineering Support Services. Ken Nicolet – Public Works Administration. David Ross – City Engineer. Jim Howard – Purchasing Director. Kristine Degabriele – Associate City Attorney. Al Lichtsinn – Street Light Engineering. Not Present: Greg Meszaros.

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1. Approval of Board of Stormwater Management Minutes for December 17, 2003.

   Denise Porter-Ross: Since John was not here; we will hold those until we have a quorum to vote on those.

2. Approval of recommendation from Engineering Support Services to accept the work performed by Fox Contractors for Sewer Contract #2003-ST-10, *Saddlebrook Section II and Villas*, as an integral part of the City's sewer system. 90-412-2

   John Suarez moved approval. Motion carried. Acceptance Letter to be sent.

3. Approval of recommendation from Engineering Support Services to accept the work performed by Frontier Contractors for Sewer Contract #2003-ST-11, *Creekwood Section IV – Storm*, as an integral part of the City's sewer system. 90-412-3

   John Suarez moved approval. Motion carried. Acceptance Letter to be sent.

4. Old Business.

New Business.

Meeting adjourned at 9:41 a.m.

Greg Meszaros, Chairman

Denise Porter-Ross

Denise Porter-Ross, Member

John Suarez

John Suarez, Member

Attest: Justin Brugger, Clerk